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OF THE  
Legislative Assembly  
OF THE  
PROVINCE OF ONTARIO

*From the 10th February to 8th April, 1949*  
*Both Days Inclusive*

IN THE THIRTEENTH YEAR OF THE REIGN OF OUR SOVEREIGN  
LORD KING GEORGE VI

BEING THE  
First Session of the Twenty-Third  
Legislature of Ontario

---

SESSION 1949

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# Journals of the Legislative Assembly, Ontario

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1. Forecast in Speech from Throne, 8.
2. Bill (No. 110), introduced, 72. Resolution passed through the House, 99. 2nd Reading, 104. House in Committee and amended, 126. 3rd Reading, 133. Royal Assent, 194. (13 George VI, cap. 41.)

## HOPE, MR. JUSTICE, CHAIRMAN OF ROYAL COMMISSION ON EDUCATION:

Copies of all correspondence between, and Minister of Education regarding Commission's Report, 39. (*Sessional Paper No. 43.*)

## HOSPITAL CARE:

Expenditure for broadening the availability of, mentioned in Speech from the Throne, 7.

## HOSPITAL FOR SICK CHILDREN, THE:

Petition for an Act respecting, 14. Petition read and received, 19. Reported by Committee on Standing Orders, 42. Bill (No. 13) introduced and referred to Committee on Private Bills, 44. Reported, 57. Fees less cost of printing remitted, 57. 2nd Reading, 76. House in Committee, 102. 3rd Reading, 121. Royal Assent, 193. (13 George VI, cap. 125.)

## HOSPITALITY FUND, GOVERNMENT:

See *Government Hospitality Fund*.

## HOSPITALS:

1. Improvement in legislation affecting, forecast in Speech from Throne, 8.
2. Question (No. 74) as to number of units installed in Ontario General and Public Hospitals for routine chest X-ray of patients entering, and number of cases of Tuberculosis discovered among patients, nurses, and other hospital personnel, etc., 84, 85.

See also *Hospital Care*; *Hospital for Sick Children*; *Psychiatric Hospitals Act*; *Public Hospitals Act*; *Hospitals Aid Act*; *Ontario Municipal Health Services Board*; *Mental Hospitals*; *Windsor Metropolitan General Hospital Inquiry Act*.

## HOSPITALS ACT, THE PSYCHIATRIC:

See *Psychiatric Hospitals Act*.

## HOSPITALS ACT, THE PUBLIC:

See *Public Hospitals Act*.

## HOSPITALS AID ACT, 1948, THE:

Bill (No. 90) to amend, introduced, 38. 2nd Reading, 46. Resolution passed through the House, 48. House in Committee and amended, 104. 3rd Reading, 121. Royal Assent, 194. (13 George VI, cap. 42.)

## HOSPITAL SERVICES, MUNICIPAL:

See *Ontario Municipal Health Services Board*.

## HOTELS:

See *Liquor Licence Board*.

## HOURS OF WORK AND VACATIONS WITH PAY ACT, 1944, THE:

1. Bill (No. 41) to amend, introduced, 11. Motion for 2nd Reading moved and debate on adjourned, 207. Lapsed.

HOURS OF WORK AND VACATIONS WITH PAY ACT, 1944, THE—*Continued*

2. Bill (No. 44) to amend, introduced, 11. Lapsed.
3. Bill (No. 69) to amend, introduced, 16. Lapsed.
4. Bill (No. 70) to amend, introduced, 17. Lapsed.
5. Bill (No. 83) to amend, introduced, 32. Motion for 2nd Reading lost on division, 208.
6. Question (No. 23) as to number of permits issued under, by Industry and Labour Board permitting overtime work in 1948, total number of man-hours so authorized and number of companies which received more than one such permit, 93.

## HOUSES DESTROYED BY FIRE IN ONTARIO:

See *Fire Losses in Ontario*.

## HOUSE, THE:

See *Legislative Assembly*; and *Rules of the House*.

## HOUSING DEVELOPMENT ACT, 1948, THE:

1. Question (No. 9) as to applications under, 92.
2. Question (No. 75) as to number of homes purchased, average price, etc., 85.

See also *Home Construction*.

## HOWE, RT. HON. C. D.:

Question (No. 51) as to date when he was applied to for priorities in connection with Des Joachims development, 218. (Answer includes correspondence.)

## HURON, ELECTORAL DISTRICT OF:

Return from Records of By-Election in, Tabled, 198. (*Sessional Paper No. 40.*)

## HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO, THE:

1. Question (No. 5) as to cost of Aquasabon Power Development and power expected, 109. See also *Cox, Mr.*
2. Question (No. 19) as to number of cars and trucks purchased by, for use in conversion programme; how many of such have been put at the disposal of Canadian Comstock Company, etc.; has the Commission taken steps to establish its own cement plant; from what companies has the Commission purchased cement in 1947, 1948 and 1949 and in what amounts, 110.
3. Question (No. 38) as to amount of power being now produced by auxiliary steam plants and what amount is planned to be developed by that means, 110.
4. Question (No. 39) as to total cost to date of campaign by, to save electricity, 111.
5. Question (No. 41) as to number of surveyed water power sites still undeveloped and what is potential horsepower in each case on certain rivers in Southern Ontario, 81.
6. Question (No. 45) as to date of contract for steam electric plant at Windsor, to whom let, at what price, etc., 159, 160.
7. Question (No. 48) as to cost each year since 1940 of printing and publishing "Hydro News" and "Staff News", 143.
8. Question (No. 49) as to particulars of contract for construction of steam electric plant at or near Toronto, etc., 201, 202.
9. Question (No. 50) as to whether frequency conversion project has been started in Leaside District, particulars of contract, etc., 111, 112.
10. Question (No. 51) as to date on which application made to Rt. Hon. C. D. Howe for priorities in connection with Des Joachim development, 218.

HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO, THE—*Continued*

11. Question (No. 52) as to how many barrels of Portland Cement purchased by, during 1948, from whom purchased and cost delivered, 112.
12. Question (No. 53) as to number of barrels of Portland Cement ordered by, for 1949 and from whom, 112.
13. Question (No. 54) as to number of tons of Reinforcing Steel purchased by, during 1948, from whom and at what price per ton, 113.
14. Question (No. 55) as to number of tons of Structural Steel purchased by, during 1948, from whom and at what price per ton, 113.
15. Question (No. 62) as to amount of Hydro-Electric energy being exported to United States and at what price, 160.
16. Question (No. 63) as to cost of operation, repairs and maintenance of aeroplane owned by, 115.
17. Question (No. 64) as to amounts expended by, on new power developments on Ottawa River and cost of work done by Stone & Webster, G. T. Clarkson and Harold Hobson, 144.
18. Question (No. 65) as to whether the Government or the Commission pay for the broadcasts made by Chairman Saunders and the newspaper advertising connected therewith, and if so, what is cost, 144.
19. Question (No. 68) as to amounts of travelling expenses paid to Mr. R. D. Hearn by, since his appointment as General Manager; also as to amounts of salaries and travelling expenses paid to members of, during years 1944-49 inclusive to date, 160, 161.
20. Question (No. 69) as to what per cent increase over peak demand will the plants under construction and authorized by, supply, 145.
21. Question (No. 70) as to peak demand for power of, during years 1942-48 inclusive. Return ordered, 108, 109. Returned, 158. (*Sessional Paper No. 50.*)
22. Question (No. 84) as to annual revenue, annual expenditure, etc., in respect of Abitibi Canyon property, 162.
23. Question (No. 85) as to purchases by, of cross-arms and pole line hardware since January 1st, 1944, 163.
24. Question (No. 87) as to acreage of land to be flooded by Pine Portage power dam, etc., 163.



HYDRO-ELECTRIC POWER COMMISSION OF ONTARIO, THE—*Continued*

25. Bill (No. 161) respecting Steep Rock Iron Ore Mines Limited, The Ontario-Minnesota Pulp and Paper Company Limited and His Majesty the King introduced, 140. 2nd Reading, 177. House in Committee, 179. 3rd Reading, 192. Royal Assent, 196. (13 George VI, cap. 97.)

26. Annual report, 198. (*Sessional Paper No. 26.*)

## “HYDRO NEWS” BULLETIN:

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**I**MMIGRANT FARMERS SETTLING VACANT LAND:

See *Vacant Arable Farm Land.*

## INCOME TAX ACT (ONTARIO), THE:

Bill (No. 114) to suspend, introduced, 73. 2nd Reading, 98. Resolution passed through the House, 100. House in Committee, 104. 3rd Reading, 220. Royal Assent, 195. (13 George VI, cap. 43.)

## INDUSTRIAL FARMS:

See *Department of Reform Institutions.*

## INDUSTRIAL FARM IN RAINY RIVER DISTRICT:

Question (No. 6) as to progress in establishing, etc., 53.

## INDUSTRIAL STANDARDS ACT, THE:

Bill (No. 39) to amend, introduced, 11. 2nd Reading, 33. House in Committee, 35. 3rd Reading, 50. Royal Assent, 86. (13 George VI, cap. 44.)

## INDUSTRIAL RELATIONS:

See *Trade and Industrial Relations.*

## INDUSTRY:

Progress of during preceding five years mentioned in Speech from Throne, 7.

## INDUSTRY AND LABOUR BOARD, THE:

Question (No. 23) as to number of permits granted by, in 1948 under The Hours of Work and Vacations with Pay Act for overtime work, number of man-hours so authorized and number of companies which received more than one such permit, 93.

## INFLATIONARY OVER-EXPANSION:

Evils and dangers of, referred to and measures to avoid, mentioned in Speech from Throne, 8.

## INFORMATION BOOTHS IN PARLIAMENT BUILDINGS:

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## INNS:

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## INSPECTOR OF LEGAL OFFICES:

Annual report, 198. (*Sessional Paper No. 5.*)

## INSPECTORS, SCHOOL:

See *Teachers Superannuation Act, 1949*; also *Teachers' and Inspectors' Superannuation Act*.

## INSTITUTE OF ACCREDITED PUBLIC ACCOUNTANTS OF ONTARIO:

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## INSURANCE ACT, THE:

Bill (No. 154) to amend, introduced, 108. 2nd Reading, 130. House in Committee, 134. 3rd Reading, 155. Royal Assent, 196. (13 George VI, cap. 45.)

## INTOXICATING DRINK:

Question (No. 90) as to number of committals to Reform Institutions of persons between 15 and 21 years since 1938 in which, has been a factor directly or indirectly, 164.

**J**AILS:

See *Gaols under Department of Reform Institutions.*

**JEANNE D'ARC, L'INSTITUT:**

Petition for an Act respecting, 15. Petition read and received, 19. Reported by Committee on Standing Orders, 42. Bill (No. 9) introduced and referred to Committee on Private Bills, 44. Reported as amended, 57. Fees less cost of printing remitted, 57. 2nd Reading, 76. House in Committee, 102. 3rd Reading, 121. Royal Assent, 193. (13 George VI, cap. 129.)

**JOHNSTON, MR. ALLISTER (PARRY SOUND):**

1. His election for Parry Sound at By-Election announced, 10.
2. Takes his seat, 11.
3. Seconds motion for Address in reply to Speech from Throne, 17.

**JOHNSTON, MR. G. G. (SIMCOE CENTRE):**

Added to Committee on Agriculture and Colonization, 52.

**JOLLIFFE, MR.:**

1. Recognized by Mr. Speaker as Leader of the Opposition, 9.
2. Joins with Prime Minister in expressing regret at death of Mr. Cragg and Mr. Carrere, 14.
3. Congratulates Mr. Kennedy on his elevation to office of Prime Minister, 14.
4. Speaks to a question of personal privilege concerning evidence given at Keays Inquiry regarding cancellation of speeding charge against himself, 17.
5. Asks Minister of Labour as to efforts being made to settle strike in Town of Paris, 17.
6. Rises to point of order regarding Bills marked "Printed" on Order Paper. Answered by Attorney-General, 21.
7. Joins with Mr. Speaker in tribute to memory of late Mr. Walter B. Reynolds, 103.
8. Congratulates Miss Macphail, Member for York East, on her birthday, 146.
9. Joins Mr. Oliver in birthday congratulations to Mr. Nixon, Member for Brant, 185.

## JUDICATURE ACT, THE:

Bill (No. 54) to amend, introduced, 12. 2nd Reading, 34. House in Committee, 48. 3rd Reading, 73. Royal Assent, 87. (13 George VI, cap. 16.)

## JUVENILE AND FAMILY COURTS ACT, THE:

Bill (No. 96) to amend, introduced, 38. 2nd Reading, 46. House in Committee, 49. 3rd Reading, 74. Royal Assent, 88. (13 George VI, cap. 47.)

**K**AKABEKA FALLS RAILWAY COMPANY, THE MOUNT McKAY AND:

See *Mount McKay*.

## KEAYS INQUIRY:

See *Jolliffe, Mr.*

## KENNEDY, HON. MR. PRIME MINISTER:

1. Expresses regret of Members at death of Mr. Cragg and Mr. Carrere, 14.
2. Congratulated on his elevation to office of Prime Minister, 14.
3. Joins with Mr. Speaker in tribute to memory of late Mr. Walter B. Reynolds, 103.

## KING GEORGE THE SIXTH:

His illness deplored, and hopes for his complete recovery expressed, in Speech from Throne, 6.

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## KING'S HIGHWAYS:

Question (No. 2) as to date major construction work was stopped between Wiarton and Tobermory, why, and when to be resumed, 79.

## KINGSTON, CITY OF:

Question (No. 75) as to number of loans to residents of, under Housing Development Act, 1948, 85.

## KINGSTON, TOWNSHIP OF:

Petition for an Act respecting, 15. Petition read and received, 20. Reported by Committee on Standing Orders, 89. Bill (No. 21) introduced and referred to Committee on Private Bills, 91. Reported, 107. 2nd Reading, 123. House in Committee, 135. 3rd Reading, 155. Royal Assent, 193. (13 George VI, cap. 128.)

## KITCHENER, CITY OF:

Question (No. 75) as to number of loans to residents of, under Housing Development Act, 1948, 85.

## LABOUR:

Continued attention to comprehensively fair provision for the needs and obligations of, forecast in Speech from Throne, 8.

## LABOUR ACT, 1944, THE RIGHTS OF:

See *Rights of Labour Act, 1944*.

## LABOUR BOARD, THE INDUSTRY AND:

See *Industry and Labour Board*.

## LABOUR, COMMITTEE ON:

1. Authorized, 13.
2. Appointed, 28.

## LABOUR, DEPARTMENT OF:

See *Department of Labour*.

## LABOUR RELATIONS BOARD, THE ONTARIO:

See *Ontario Labour Relations Board*.

## LAGER BEER:

See *Liquor Control Board*.

## LAKE ONTARIO:

See *Commercial Fishing Licenses*.

## LAKES AND RIVERS IMPROVEMENT ACT, THE:

Bill (No. 78) to amend, introduced, 25. 2nd Reading, 36. House in Committee, 49. Order for 3rd Reading discharged and Bill referred back to Committee of the Whole House for further consideration, 154. House in Committee and amended, 173. 3rd Reading, 180. Royal Assent, 194. (13 George VI, cap. 48.)

## LAND CLEARING, DITCHING AND DRAINING IN DISTRICT OF COCHRANE:

See *Cochrane, District of*.

## LANDS ACT, THE PUBLIC:

See *Public Lands Act*.

## LANDS AND FORESTS, DEPARTMENT OF:

See *Department of Lands and Forests*.

## LAND TRANSFER TAX ACT, THE:

Bill (No. 71) to amend, introduced, 24. 2nd Reading, 35. House in Committee, 36. 3rd Reading, 50. Royal Assent, 87. (13 George VI, cap. 49.)

## LAW ENFORCEMENT:

Progressive and sympathetic enforcement with firm suppression of subversive elements referred to in Speech from Throne, 8.

## LEADER OF THE OPPOSITION:

See *Opposition, Leader of*.

## LEASIDE DISTRICT:

Question (No. 50) as to whether frequency conversion project has been started in Leaside District, particulars of contract, etc., 111, 112.

## LEEDS, ELECTORAL DISTRICT OF:

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## LEGAL BILLS, COMMITTEE ON:

1. Authorized, 13.
2. Appointed, 28.

## LEGAL OFFICES, THE INSPECTOR OF:

Annual report, 198. (*Sessional Paper No. 5.*)

## LEGAL STATUS OF MUNICIPALITIES:

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## LEGISLATIVE ASSEMBLY ACT, THE:

Bill (No. 85) to amend, introduced, 35. 2nd Reading, 45. Resolution passed through the House, 47. House in Committee, 49. 3rd Reading, 74. Royal Assent, 87. (13 George VI, cap. 50.)

## LEGISLATIVE ASSEMBLY, THE:

1. Proclamation calling, 1.
2. House meets, 2.
3. Election returns tabled, 2.
4. Speaker elected, 5.
5. Vacancies and By-Election reported, 9, 10.
6. Stenographic reports authorized, 13.
7. Adjourns to special hour, 31, 43, 52, 175, 177, 185, 203, 204, 205, 207.
8. Ordered that on and after Friday, February 25th, 1949, during remainder of present Session, House to meet at 1.30 p.m. on Fridays, and Rule 2 suspended for this purpose, 43.
9. Sits after Midnight, 149, 169, 174.
10. Election returns Tabled, 198. (*Sessional Paper No. 40.*)
11. Mr. Speaker's ruling re Tabling of private correspondence by Members, 205.
12. Prorogues, 227.

## LENNOX COUNTY:

Question (No. 79) as to number of commercial fishing licenses issued for, from and including 1945 to date, 96.

## LIBRARIES ACT, THE PUBLIC:

See *Public Libraries Act*.

## LIGHTNING RIVER HIGHWAY:

Question (No. 46) as to cost of work done on, since January 1st, 1945, etc., 84.

## LIEUTENANT-GOVERNOR, THE:

1. Proclamation calling the Assembly, 1.
2. Directs that Speaker be chosen, 5.
3. His Speech at the Opening, 6. (See also *Throne, Speech from.*)
4. Recommends Resolutions to the House, 32, 47, 98, 131, 147, 172, 179.

LIEUTENANT-GOVERNOR, THE—*Continued*

5. Presents Estimates, 63.
6. Assents to Bills, 86, 192, 193, 225.
7. His Speech at Closing, 225.

## LIMITATIONS ACT, THE:

Bill (No. 55) to amend, introduced, 12. 2nd Reading, 34. House in Committee, 35. 3rd Reading, 50. Royal Assent, 87. (13 George VI, cap. 51.)

## LINK, WILLIAM GORDON:

See *Sarnia Young Men's and Young Women's Christian Association*.

## LIQUOR CONTROL BOARD:

1. Question (No. 13) as to lease by, of premises on south side of Bloor St. West near Glenview Blvd., Toronto, etc., 54.
2. Question (No. 16) as to purchases of liquor by, during fiscal year ending March 31st, 1948, 54, 55.
3. Question (No. 89) as to maximum and minimum strength of domestic brands of ale, lager beer, porter and stout, in each of years 1944 to 1948 inclusive, quantities sold, etc., 116.
4. Annual report, 197. (*Sessional Paper No. 20.*)

## LIQUOR LICENCE ACT, 1946, THE:

1. Question (No. 15) as to number of licences issued under, in force on December 31st, 1948, number of each class, etc., 79, 80.
2. Bill (No. 35) to amend, introduced, 91. Lapsed.
3. Bill (No. 170) to amend, introduced, 153. Motion for 2nd Reading moved, debated and lost on division, 210.

## LIQUOR LICENCE BOARD:

1. Question (No. 14) as to number of banquet or entertainment permits issued during 1946, 1947, 1948 in prohibited areas of western and northern Toronto, 79.
2. Question (No. 15) as to number of licences under Liquor Licence Act, 1946, in force on December 31st, 1948, number of each class, etc., 79, 80.
3. Annual report, 198. (*Sessional Paper No. 53.*)



## LIQUOR PERMITS:

See *Liquor Licence Board*.

## LOAN ACT, 1949, THE ONTARIO:

See *Ontario Loan Act, 1949*.

## LOAN AND TRUST CORPORATIONS ACT, 1949, THE:

Bill (No. 103), introduced, 51. 2nd Reading, 76. House in Committee and amended, 104. 3rd Reading, 121. Royal Assent, 194. (13 George VI, cap. 52.)

## LOANS ACT, THE PROVINCIAL:

See *Provincial Loans Act*.

## LOCAL DEMONSTRATION FARMS:

See *Conservation*.

## LOCAL IMPROVEMENT ACT, THE:

Bill (No. 141) to amend, introduced, 106. 2nd Reading and referred to Committee on Municipal Law, 124. Reported, 136. House in Committee, 148. 3rd Reading, 156. Royal Assent, 195. (13 George VI, cap. 53.)

## LONDON, CITY OF:

1. Petition for an Act respecting, 15. Petition read and received, 19. Reported by Committee on Standing Orders, 90. Bill (No. 11) introduced and referred to Committee on Private Bills, 91. Reported as amended, 105. 2nd Reading, 123. House in Committee, 134. 3rd Reading, 155. Royal Assent, 193. (13 George VI, cap. 130.)
2. Question (No. 75) as to number of loans to residents of, under Housing Development Act, 1948, 85.

## LONG POINT PARK ACT, THE:

Bill (No. 106) to amend, introduced, 52. 2nd Reading, 76. House in Committee, 102. 3rd Reading, 121. Royal Assent, 194. (13 George VI, cap. 54.)

## LOUNGE LICENCES:

See *Liquor Licence Board*.

## **M**ACDONALD, ANGUS BERNARD:

*See Ontario Co-operative Credit Society.*

## MACPHAIL, MISS (YORK EAST):

1. Congratulated on her birthday, 146.
2. Moves Resolution of welcome to people of Newfoundland, 146, 147.

## MACKENZIE, MR. (YORK NORTH)

Added to Committee on Fish and Game, 52.

## MACLEOD, MR. (BELLWOODS):

1. Added to Committee on Private Bills, 107.
2. Joins with Prime Minister in expressing regret at deaths of Mr. Cragg and Mr. Carrere, 14.
3. Joins with Mr. Jolliffe in congratulations to Mr. Kennedy on his elevation to office of Prime Minister, 14.
4. Joins with Mr. Speaker in tribute to late Mr. Walter B. Reynolds, 103.
5. Joins with Mr. Jolliffe in congratulating Miss Macphail, Member for York East, on her birthday, 146.
6. Joins Mr. Oliver in birthday congratulations to Mr. Nixon, Member for Brant, 185.

## MADAWASKA RIVER:

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## MAGNETAWAN RIVER:

Question (No. 41) as to estimated potential horsepower on, 81.

## MAJESTY THE KING, HIS:

*See King George the Sixth; also Hydro-Electric Power Commission, Item No. 25.*

## MARKETING LOAN ACT, THE CO-OPERATIVE:

*See Co-operative Marketing Loan Act.*

## MARKETING OF FARM PRODUCTS:

*See Farm Products Marketing Act.*

## MARRIAGE ACT, THE:

1. Bill (No. 80) to amend, introduced, 31. Lapsed.
2. Bill (No. 126) to amend, introduced, 97. 2nd Reading, 123. House in Committee, 131. 3rd Reading, 133. Royal Assent, 195. (13 George VI, cap. 55.)

## MARRIAGES, ANNUAL REPORT OF:

Included in report of Department of Municipal Affairs, 198. (*Sessional Paper No. 31.*)

## MATHESON TO QUEBEC BOUNDARY:

See *Lightning River Highway*.

## MATRIMONIAL CAUSES ACT, THE:

Bill (No. 99) to amend, introduced, 44. 2nd Reading, 49. House in Committee, 77. 3rd Reading, 85. Royal Assent, 88. (13 George VI, cap. 56.)

## MEDICAL SERVICES:

See *Ontario Municipal Health Services Board*.

## MEMBERS OF ASSEMBLY:

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## MENTAL HOSPITALS:

Question (No. 24) as to estates of persons in, and their administration by the Public Trustee, 110.

## MILITARY MESSES:

See *Liquor Licence Board*.

## MILK CONTROL ACT, 1948, THE:

Bill (No. 179) to amend, introduced, 171. Motion for 2nd Reading moved and carried on a unanimous Recorded Vote, 178. 2nd Reading, 179. House in Committee, 203. 3rd Reading, 211. Royal Assent, 225. (13 George VI, cap. 57.)

## MILK CONTROL BOARD OF ONTARIO, THE:

Annual report, 77. (*Sessional Paper No. 38.*)

## MILLHOLLAND, HOPE HARRIS:

See *Sarnia Young Men's and Young Women's Christian Association*.

## MILLS LICENSING ACT, 1949, THE:

Bill (No. 94), introduced, 38. 2nd Reading, 46. House in Committee, 49. 3rd Reading, 74. Royal Assent, 88. (13 George VI, cap. 58.)

## MINIMUM WAGE ACT, THE:

Bill (No. 66) to amend, introduced, 16. Lapsed.

## MINING ACT, THE:

Bill (No. 86) to amend, introduced, 37. 2nd Reading and referred to Committee on Mining, 46. Resolution passed through the House, 47. Reported by Committee on Mining, 103. House in Committee, 126. 3rd Reading, 133. Royal Assent, 194. (13 George VI, cap. 59.)

## MINING, COMMITTEE ON:

1. Authorized, 13.
2. Appointed, 28.
3. Report, 103.

## MINING MUNICIPALITIES:

1. Question (No. 31) as to distribution of \$180,000 provided in Estimates of Department of Municipal Affairs 1948-49 to provide a subsidy to, 94.
2. Question (No. 78) as to amounts paid to, since Mining Tax raised in 1947 for purposes of providing such aid to, 161.

## MINING TAX:

See *Mining Tax Act*.

## MINING TAX ACT, THE:

1. Question (No. 78) as to amounts of aid to mining municipalities since Mining Tax raised by amendment to, in 1947, for purpose of providing such aid, 161.
2. Bill (No. 159) to amend, introduced, 140. 2nd Reading, 168. Resolution passed through the House, 172. House in Committee, 172. 3rd Reading, 180. Royal Assent, 196. (13 George VI, cap. 60.)

## MISSISSIPPI RIVER IN SOUTHERN ONTARIO:

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## MORTMAIN AND CHARITABLE USES ACT, THE:

Annual report re, 37. (*Sessional Paper No. 33.*)

## MOTHERS' ALLOWANCES:

See *Mothers' Allowances Commission*.

## MOTHERS' ALLOWANCES COMMISSION, THE:

1. Question (No. 35) as to number of persons receiving, and number of dependents in each case; also number of cases in which discretionary supplementary \$10.00 allowance has been granted and number of cases in which it has since been reduced or cancelled, 200.
2. Question (No. 36) as to who are members of, and what is salary of each; also as to whether Mr. Harry Bentley is employed by, and in what capacity, 200.

## MOOSONEE PUBLIC SCHOOL BUILDING:

See *Public School Building at Moosonee*.

## MOUNT MCKAY AND KAKABEKA FALLS RAILWAY COMPANY, THE:

Petition for an Act respecting, 15. Petition read and received, 18. Reported by Committee on Standing Orders, 40. Bill (No. 2) introduced and referred to Committee on Private Bills, 43. Reported, 50. 2nd Reading, 74. House in Committee, 102. 3rd Reading, 121. Royal Assent, 193. (13 George VI, cap. 132.)

## MUNICIPAL ACT, THE:

1. Bill (No. 65) to amend, introduced, 16. Lapsed.
2. Bill (No. 133) to amend, introduced, 103. 2nd Reading and referred to Committee on Municipal Law, 124. Reported as amended, 136. House in Committee, 148. 3rd Reading, 155. Royal Assent, 195. (13 George VI, cap. 61.)
3. Bill (No. 138) to amend, introduced, 106. 2nd Reading, 172. House in Committee and amended, 180. 3rd Reading, 192. Royal Assent, 195. (13 George VI, cap. 61.)
4. Bill (No. 142) to amend, introduced, 106. Lapsed.

## MUNICIPAL AFFAIRS ACT, THE DEPARTMENT OF:

See *Department of Municipal Affairs Act*.

## MUNICIPAL AFFAIRS, DEPARTMENT OF:

See *Department of Municipal Affairs*.

## MUNICIPAL BOARD ACT, THE ONTARIO:

See *Ontario Municipal Board Act*.

## MUNICIPAL BOARD, THE ONTARIO:

See *Ontario Municipal Board*.

## MUNICIPAL CORPORATIONS (QUIETING ORDERS) ACT, 1949, THE:

Bill (No. 128), introduced, 97. 2nd Reading, 123. House in Committee, 132. 3rd Reading, 133. Royal Assent, 195. (13 George VI, cap. 62.)

## MUNICIPAL DRAINAGE ACT, THE:

Bill (No. 120) to amend, introduced, 92. 2nd Reading, 122. House in Committee, 132. 3rd Reading, 133. Royal Assent, 195. (13 George VI, cap. 63.)

## MUNICIPAL ELECTIONS:

1. Motion by Mr. Dennison that persons entitled to vote at elections to the Assembly should be entitled to vote at. Withdrawn, 170.
2. Bill (No. 67), An Act to Extend the Right to Vote at Municipal Elections to the Classes of Persons that may Vote at Elections to the Assembly introduced, 16. Withdrawn, 170.

## MUNICIPAL HEALTH SERVICES ACT, 1944, THE ONTARIO:

See *Ontario Municipal Health Services Act*.

## MUNICIPAL HEALTH SERVICES BOARD, THE ONTARIO:

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## MUNICIPALITIES:

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## NATIONAL PHYSICAL FITNESS ACT, THE:

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## NIAGARA PARKS ACT, 1949, THE:

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## NIAGARA PARKS COMMISSION, THE:

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## NORMAL SCHOOLS:

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## NORTH COCHRANE, ELECTORAL DISTRICT OF:

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## NORTHERN DEVELOPMENT ACT, THE:

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## NORTH ESSEX, ELECTORAL DISTRICT OF:

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## NORTHLAND TRANSPORTATION COMMISSION, THE ONTARIO:

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## ONTARIO BILL OF RIGHTS ACT, 1949, THE:

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## ONTARIO COLLEGE OF ART, THE:

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## ONTARIO COLLEGE OF EDUCATION, THE:

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## ONTARIO CO-OPERATIVE CREDIT SOCIETY:

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## ONTARIO, ELECTORAL DISTRICT OF:

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## ONTARIO FOOD TERMINAL:

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## ONTARIO FOOD TERMINAL ACT, 1946, THE:

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## ONTARIO FOOD TERMINAL BOARD:

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## ONTARIO HOUSE:

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## ONTARIO LOAN ACT, 1949, THE:

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## ONTARIO-MINNESOTA PULP AND PAPER COMPANY LIMITED, THE:

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## ONTARIO MUNICIPAL BOARD ACT, THE:

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2. Bill (No. 140) to amend, introduced, 106. 2nd Reading and referred to Committee on Municipal Law, 124. Reported, 136. House in Committee, 148. 3rd Reading, 156. Royal Assent, 195. (13 George VI, cap. 69.)

## ONTARIO MUNICIPAL BOARD, THE:

Annual report, 78. (*Sessional Paper No. 24*.)

## ONTARIO MUNICIPAL HEALTH SERVICES ACT, 1944, THE:

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## ONTARIO NORTHLAND TRANSPORTATION COMMISSION ACT, THE:

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## ONTARIO NORTHLAND TRANSPORTATION COMMISSION, THE:

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## ONTARIO SECURITIES COMMISSION, THE:

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## ONTARIO, THE INCORPORATED SYNOD OF THE DIOCESE OF:

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2. Joins with Prime Minister in expressing regret at deaths of Mr. Cragg and Mr. Carrere, 14.
3. Congratulates Mr. Kennedy on his elevation to office of Prime Minister, 14.
4. Speaks to question of personal privilege regarding evidence given at Keays Inquiry concerning cancellation of speeding charge against him, 17.
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## OTTAWA, CITY OF:

1. Petition for an Act respecting, 15. Petition read and received, 21. Reported by Committee on Standing Orders, 90. Bill (No. 31) introduced and referred to Committee on Private Bills, 91. Reported as amended, 105. 2nd Reading, 128. House in Committee, 135. 3rd Reading, 155. Royal Assent, 194. (13 George VI, cap. 134.)
2. Question (No. 75) as to number of loans to residents of, under Housing Development Act, 1948, 85.
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## OWEN SOUND, CITY OF:

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## PERMITS, LIQUOR:

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## PHYSICAL EDUCATION FUND, ATHLETICS AND:

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## PHYSICAL FITNESS ACT, THE NATIONAL:

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## PHYSICAL FITNESS AND RECREATION FUND:

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## PHYSICAL FITNESS AND RECREATION PLAN OF DEPARTMENT OF EDUCATION:

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## PINE PORTAGE POWER DAM:

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## PLANNING ACT, 1946, THE:

Bill (No. 77) to amend, introduced, 25. 2nd Reading, 36. House in Committee and amended, 49. 3rd Reading, 74. Royal Assent, 87. (13 George VI, cap. 71.)

## PLANNING AND DEVELOPMENT, DEPARTMENT OF:

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## POLICE ACT, 1949, THE:

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## POLICE DEPARTMENTS:

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## POWER COMMISSION ACT, THE:

1. Bill (No. 100) to amend, introduced, 45. Lapsed.
2. Bill (No. 122) to amend, introduced, 92. 2nd Reading, 122. Resolution passed through the House, 131. House in Committee and amended—Section 4 reserved for further consideration, 132. Section 4 reported by Committee of Whole House, 134. 3rd Reading, 154. Royal Assent, 195. (13 George VI, cap. 73.)

## PRESQU'ILE PARK ACT, THE:

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## PRIME MINISTER:

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## PRINCE CHARLES:

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## PRINCE EDWARD COUNTY:

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## PRINCESS ELIZABETH:

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2. Appointed, 27.
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## PRISONS AND REFORMATORIES:

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## PRIVATE BILLS:

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## PRIVATE BILLS, COMMITTEE ON:

1. Authorized, 13.
2. Appointed, 27.
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## PRIVATE SANITARIA ACT, THE:

Bill (No. 92) to amend, introduced, 38. 2nd Reading, 46. House in Committee, 49. 3rd Reading, 74. Royal Assent, 88. (13 George VI, cap. 75.)

## PRIVILEGES AND ELECTIONS, COMMITTEE ON:

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## PRODUCTS, FARM:

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## PROFESSIONAL ENGINEERS ACT, THE:

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## PROGRESS AND PROSPERITY IN THE PROVINCE DURING PRECEDING FIVE YEARS:

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## PROROGATION OF ASSEMBLY:

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## PROVINCIAL AID TO DRAINAGE ACT, THE:

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## PROVINCIAL AUDITOR:

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## PROVINCIAL-DOMINION:

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## PROVINCIAL HIGHWAY SYSTEM, THE:

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## PROVINCIAL LOANS ACT, THE:

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## PROVINCIAL TECHNICAL INSTITUTES:

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## PSYCHIATRIC HOSPITALS ACT, THE:

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## PSYCHIATRIC RESEARCH:

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2. Appointed, 27.
3. Report presented and ordered printed as an Appendix to the Journals, 175.

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PUBLIC HOSPITALS:

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PUBLIC HOSPITALS ACT, THE:

Bill (No. 73) to amend, introduced, 25. 2nd Reading, 36. House in Committee, 48. 3rd Reading, 73. Royal Assent, 87. (13 George VI, cap. 80.)

PUBLIC HOUSE LICENCES:

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PUBLICITY ACT, 1946, THE DEPARTMENT OF TRAVEL AND:

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PUBLICITY, DEPARTMENT OF TRAVEL AND:

Annual report, 198. (*Sessional Paper No. 52.*)

PUBLIC LANDS ACT, THE:

Bill (No. 157) to amend, introduced, 136. 2nd Reading, 167. House in Committee, 172. 3rd Reading, 180. Royal Assent, 196. (13 George VI, cap. 81.)

## PUBLIC LIBRARIES ACT, THE:

Bill (No. 147) to amend, introduced, 107. 2nd Reading, 130. House in Committee, 134. 3rd Reading, 154. Royal Assent, 196. (13 George VI, cap. 82.)

## PUBLIC OFFICERS' FEES ACT, THE:

Bill (No. 56) to amend, introduced, 12. Resolution passed through the House, 33. 2nd Reading, 34. House in Committee, 36. 3rd Reading, 50. Royal Assent, 87. (13 George VI, cap. 83.)

## PUBLIC SCHOOL BUILDING AT MOOSONEE:

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## PUBLIC SCHOOLS ACT, THE:

1. Bill (No. 68) to amend, introduced, 16. Lapsed.
2. Bill (No. 148) to amend, introduced, 108. 2nd Reading, 130. House in Committee, 134. 3rd Reading, 154. Royal Assent, 196. (13 George VI, cap. 84.)

## PUBLIC SERVICE:

Annual report of Superannuation Board, 78. (*Sessional Paper No. 36.*)

See also *Civil Service*; *Civil Service Commissioner*; and *Supply*.

## PUBLIC TRUSTEE, THE:

Question (No. 24) as to number of estates of persons in mental hospitals under administration by, to December 31st, 1948, value thereof and amount of any penalties on real estate therein for late payment of municipal taxes, 110.

## PUBLIC UTILITIES ACT, THE:

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2. Bill (No. 130) to amend, introduced, 98. 2nd Reading 123. Referred to Committee on Municipal Law, 124. Reported, 136. House in Committee, 148. 3rd Reading, 155. Royal Assent, 195. (13 George VI, cap. 85.)

## PUBLIC VEHICLES ACT, 1949, THE:

Bill (No. 167), introduced, 140. 2nd Reading, 171. House in Committee and amended, 180. 3rd Reading, 192. Royal Assent, 197. (13 George VI, cap. 86.)

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## PUBLIC WORKS, DEPARTMENT OF:

Annual report, 198. (*Sessional Paper No. 8.*)

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## QUESTIONS:

1. As to number of persons in Ontario in receipt of Old Age and Blind Pensions as of January 31st, 1949, 199.
2. As to date of stoppage of major construction work on the King's Highway between Wiarton and Tobermory, 79.
3. As to what steps have been taken since 1945 to establish any University or school of higher education anywhere in Northern Ontario, 109.
4. As to the date of the issue of the Royal Commission on Education, also as to number of sittings held, 141.
5. As to the total cost of the Aquasabon Power development to date and the total estimated cost, 109.
6. As to what progress has been made in the establishment of an Industrial Farm in the Rainy River District, 53.
7. As to what quantity of wood has been cut on Crown Lands and exported in each of the last five years; also, what land has been bought or held under option to buy, 53.
8. As to what efforts have been made by the Government to regulate the destruction of trees for the Christmas tree trade, 54.
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10. As to the estimated total cost of the Toronto-Barrie Highway, 141.
12. As to the cost of materials and labour for erecting two information booths in the main lobby of these Parliament Buildings, 79.

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13. As to whether the Liquor Control Board has leased or authorized the lease of the premises situated on the south side of Bloor Street West near Glenview Boulevard, adjacent to the Brewer's Warehouse, 54.
14. As to number of banquet or entertainment permits issued by the Liquor Licence Board during each of the years 1946, 1947 and 1948 in certain areas in Toronto, in which licensing is forbidden under Section 67 or 68 of The Liquor Licence Act, 1946, 79.
15. As to how many licences issued under The Liquor Licence Act, 1946, were in force on December 31st, 1948, 79, 80.
16. As to what suppliers the Liquor Control Board purchased liquor from to the value of more than \$50,000 during the fiscal year ending March 31st, 1948, 54, 55.
17. As to what steps have been taken to effect a settlement of the strike of printers at the Hamilton Spectator, 56.
18. As to what portion of the original Union Stock Yards properties has been sold since the Government acquisition of same, 92, 93.
19. As to number of cars and trucks purchased or on order by the Hydro-Electric Power Commission of Ontario for use in its conversion programme, 110.
20. As to number of persons in each month of year 1948 not previously in receipt of a supplementary allowance to the old age or blind pension were awarded said supplementary allowance, 199.
21. As to the total cost of the Royal Commission on Education from the time of its appointment to date, 142.
22. As to number of claims received in respect of damage done to properties on Park Lawn Road in Etobicoke Township in connection with the construction of the Ontario Food Terminal, 93.
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26. As to what provision has been made by the Provincial Government since 1943 for the education or training of "spastic" or cerebral palsy children in Ontario, 159.
27. As to total expenditures in both England and Canada in connection with Ontario House since its inception, 159.
28. As to the total cost to date of the Publication "Ontario Services", 56.
29. As to how many persons were members of the Ontario Civil Service:  
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30. As to personnel of the Workmen's Compensation Board and salary of each member, 56.
31. As to distribution of \$180,000 provided in vote 121, item 10 of the Department of Municipal Affairs Estimates for 1948-9, 94.
32. As to collection of Succession Duties from estates from \$25,000 to \$50,000 passing to lineal descendants and what amount was collected from such estates, 142.
34. As to what change has been made by the Government of Ontario or the Old Age Pensions Commission since August 17th, 1943 in the regulations re the provision whereby the Commission registers notice of grant of Pension against the property of the pensioner, 199, 200.
35. As to number of persons in receipt of Mother's Allowances showing the number of dependents and in how many cases has the supplementary grant of \$10.00 been granted, 200.
36. As to the personnel of the Mothers' Allowances Commission and the salary of each member, 200.
37. As to the personnel of the Old Age Pensions Commission and the salary of each member, 200.
38. As to amount of electrical energy produced by or for the Ontario Hydro-Electric Power Commission by auxiliary steam plants, 110.
39. As to total cost to date of the campaign by the Ontario Hydro-Electric Power Commission to save electricity, 111.
40. As to what amounts have been paid out of the Physical Fitness and Recreation Fund or out of the Athletics and Physical Education Fund for each of the fiscal years 1947-48 and 1948-49, 201.
41. As to how many surveyed water power sites remain undeveloped on the French, Magnetawan, Ottawa, Muskoka, Oxtongue, Bonnechere, Madawaska, Mississippi and Rideau Rivers and what is the estimated potential horse-power in each case, 81.

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43. As to what persons or companies were contracts let for construction of the new highway from Highland Creek to the end of pavement at Oshawa. Return ordered, 108, 109. Returned, 170.
44. As of December 31st, 1948, how many teachers and inspectors were in receipt of annual allowances under The Teachers' and Inspectors' Superannuation Act, in the amounts of \$100 or less, etc., 142.
45. As to the date on which a contract was let for the construction of a steam electric plant at Windsor, 159, 160.
46. As to the total cost since January 1st, 1945 of construction work done on the Lightning River Highway from Matheson toward the Quebec boundary, 84.
47. As to the number of convictions for drunkenness registered in Ontario Courts in the year ending March 31st, 1948, 56.
48. As to the actual amount spent each year since 1940 by the Hydro-Electric Power Commission in publishing the Bulletin "Hydro-News"; also, the annual cost of publishing "Staff News", 143.
49. As to whether a contract has been let for the construction of a steam electric plant at or near Toronto, 201, 202.
50. As to whether the Hydro-Electric Power Commission of Ontario has started its frequency conversion project in the Leaside District, 111, 112.
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53. As to how many barrels of Portland Cement have been contracted for or ordered for 1949 construction and maintenance work by the Hydro-Electric Power Commission and from whom, 112.
54. As to how many tons of Reinforcing Steel were purchased by the Hydro-Electric Power Commission during 1948, from whom and at what price per ton, 113.

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55. As to how many tons of Structural Steel were purchased by the Hydro-Electric Power Commission during 1948; from whom and at what price per ton, 113.
57. As to whether The Ontario Health Services Act, 1944, is still in force and who are the members of the Ontario Municipal Health Services Board, 95.
58. As to how much money was spent in psychiatric research in Ontario during the years 1940 to 1948 inclusive and what are the academic requirements of a qualified psychiatrist in Ontario, 113.
59. As to the total cost to the Department of Education of the Public School Building at Moosonee, 143, 144.
60. As to how many requests, since 1945, have been held in abeyance for the establishment of a French-speaking School Section on the grounds that applications cannot be considered until the Royal Commission on education reports, 115.
61. As to the total amount expended on repairs and alterations to the Park Refectory at Niagara Falls since August, 1943, 95.
62. As to what amounts of Hydro-Electric energy are being exported at the present time to the United States and at what price, 160.
63. As to the cost of maintenance, repairs and operation of the aeroplane owned by the Hydro-Electric Power Commission including salaries and allowances to pilots and crew members, 115.
64. As to amounts expended by the Hydro-Electric Power Commission on development and reconstruction work on the Ottawa River new power developments during 1948, 144.
65. As to whether the Government or the Hydro-Electric Power Commission pays for the broadcasts made by Chairman Saunders; if so, what is the cost, 144, 145.
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68. As to amounts of travelling expenses paid to Mr. R. D. Hearn by the Hydro-Electric Power Commission of Ontario since his appointment as General Manager, 160, 161.
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70. As to what was the Hydro-Electric Power Commission peak demand for power in the years 1942 to 1948 inclusive. Return ordered, 108, 109. Returned, 158.
71. As to the personnel of the Ontario Securities Commission and the salary of each and the identity of the Chairman, 84.
72. As to how many miles of County roads were absorbed into the Provincial Highway System since April 1st, 1948, giving locations, 96.
74. As to number of X-ray units installed in Ontario General and Public Hospitals for routine chest X-ray of patients admitted to such institutions, and how many have been purchased by the Province, 84, 85.
75. As to number of homes purchased under The Development of Housing Accommodation Act, 1948, 85.
76. As to whether the Minister received representations from the President or the Board of Governors of the University of Toronto asking that he receive a delegation from the Students' Administrative Council to discuss the question of University fees, 96.
78. As to what amounts of money have been paid to mining municipalities since the Mining Tax was raised by The Mining Tax Amendment Act, 1947, for the purpose of providing such Municipal Aid, 161.
79. As to number of commercial fishing licenses of all types issued for Prince Edward and Lennox Counties, including the waters of the Bay of Quinte and Lake Ontario adjacent thereto, during the years 1945-6, 1946-7, 1947-8, 1948-9, to date, 96.
80. As to how much of the \$100,000 placed in the Estimates of 1948-1949—Department of Education, for "Training in Citizenship for Adults" has been expended until now, 115.
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83. As to the names and salaries of the teaching staff at the Ontario College of Education, 145.
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87. As to the area in acres of land to be flooded by the Pine Portage power dam, 163.
88. As to what number of candidates for secondary school graduation (Grade XIII) were granted (a) first-class standing, (b) second-class standing, (c) third-class standing, (d) credit standing, in the examinations in 1943, 1944, 1945, 1946 and 1947. Return ordered, 205.
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93. As to the number of houses destroyed by fire in the Province of Ontario since 1938, 118.
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## QUIETING DOUBTS AFFECTING THE LEGAL STATUS AND BOUNDARIES OF MUNICIPALITIES, AN ACT FOR:

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## RAILWAY CAR LIQUOR LICENCES:

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## RAINY RIVER DISTRICT:

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## REAL ESTATE AND BUSINESS BROKERS ACT, 1946, THE:

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## RECREATION, PHYSICAL FITNESS AND:

See *Physical Fitness and Recreation Fund*; also *Physical Fitness and Recreation Plan*.

## REFECTORY AT NIAGARA FALLS:

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## REFORESTATION:

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## REFORESTATION ACT, THE MUNICIPAL:

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## REFORM INSTITUTIONS:

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## REGISTRAR, PROVINCIAL SECRETARY AND:

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## REGISTRY ACT, THE:

Bill (No. 156) to amend, introduced, 108. 2nd Reading, 130. Resolution passed through the House, 131. House in Committee, 134. 3rd Reading, 155. Royal Assent, 196. (13 George VI, cap. 88.)

## REGULATIONS ACT, 1944, THE, ACT TO PROVIDE FOR THE CONSOLIDATION OF THE REGULATIONS FILED UNDER:

Bill (No. 153), introduced, 108. 2nd Reading, 130. House in Committee, 134. 3rd Reading, 155. Royal Assent, 196. (13 George VI, cap. 89.)

## REINFORCING STEEL:

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2. Showing: What was the Hydro-Electric Power Commission peak demand for power in the years 1942 to 1948 inclusive. Ordered, 109. Returned, 158. (*Sessional Paper No. 50.*)

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3. Showing: (1) To what person or companies were contracts let for construction of the new highway from Highland Creek to end of pavement at Oshawa; (2) What mileage covered under each contract; (3) What was cost per mile under each contract; (4) Which of said contracts were awarded by tender. Ordered, 109. Returned, 170, 171. (*Sessional Paper No. 51.*)
4. Showing: What number of candidates for Secondary School Graduation (Grade XIII) were granted (a) first class standing, (b) second class standing, (c) third class standing, (d) credit standing, in the examinations of 1943 to 1947 inclusive. Ordered, 205.

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2. Question (No. 75) as to number of loans to residents of, under Housing Development Act, 1948, 85.

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Bill (No. 91) to amend, introduced, 38. 2nd Reading, 46. Resolution passed through the House, 48. House in Committee and amended, 104. 3rd Reading, 121. Royal Assent, 194. (13 George VI, cap. 90.)

## SANDWICH WEST, TOWNSHIP OF:

Petition for an Act respecting, 18. Petition read and received, 24. Reported by Committee on Standing Orders, 90. Bill (No. 32) introduced and referred to Committee on Private Bills, 91. Reported as amended, 133. 2nd Reading, 147. House in Committee, 157. 3rd Reading, 166. Royal Assent, 194. (13 George VI, cap. 138.)

## SANDWICH, WINDSOR AND AMHERSTBURG RAILWAY, THE:

Bill (No. 117) respecting, introduced, 78. 2nd Reading, 98. Resolution passed through the House, 100, 101. House in Committee, 126. 3rd Reading, 133. Royal Assent, 195. (13 George VI, cap. 91.)

## SANITARIA ACT, THE PRIVATE:

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## SARNIA YOUNG MEN'S AND YOUNG WOMEN'S CHRISTIAN ASSOCIATION:

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## SCHOOLS:

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## SCHOOL SITES ACT, THE:

Bill (No. 151) to amend, introduced, 108. 2nd Reading, 130. House in Committee, 134. 3rd Reading, 155. Royal Assent, 196. (13 George VI, cap. 92.)

## SCHOOL TEACHERS AND INSPECTORS:

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2. Replies to Mr. Speaker on behalf of Lieutenant-Governor, 6.
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## SEPARATE SCHOOLS:

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## SEPARATE SCHOOLS ACT, THE:

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## STATUTE LAW AMENDMENT ACT, 1949, THE:

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## STATUTES, ACT TO PROVIDE FOR THE CONSOLIDATION OF THE:

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## STEAM ELECTRIC PLANTS:

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2. Question (No. 45) as to date of contract for plant at Windsor, to whom let, at what price, etc., 159, 160.
3. Question (No. 49) as to particulars of contract for construction of, at or near Toronto, etc., 201, 202.

## STEAMSHIP LIQUOR LICENCES:

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## STEEL:

1. Question (No. 54) as to number of tons of Reinforcing Steel purchased by Hydro-Electric Power Commission during 1948, from whom and at what price per ton, 113.
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## STEEP ROCK IRON ORE DEVELOPMENT ACT, 1949, THE:

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## SUCCESSION DUTIES:

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## SUCCESSION DUTY ACT, 1939, THE:

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| No. 18 | Annual Report of the Department of Reform Institutions, Province of Ontario, for the year ending 31st March, 1948. Part I—Reformatories, Industrial Farms, Common Gaols. Presented to the Legislature, March 7th, 1949. <i>Printed.</i> |
| No. 19 | Report of the Minister of Public Welfare, Province of Ontario, for the fiscal year 1947-1948. Presented to the Legislature, April 1st, 1949. <i>Printed.</i>  |

- No. 20 Twenty-second Annual Report of the Liquor Control Board of Ontario for the fiscal year ended 31st March, 1948. Presented to the Legislature, April 1st, 1949. *Printed.*
- No. 21 Report of the Minister of Agriculture for the year ending 31st March, 1948. Presented to the Legislature, March 7th, 1949. *Printed.*
- No. 22 Annual Report of the Statistics Branch, Department of Agriculture, for the year ending 31st December, 1947. Presented to the Legislature, March 7th, 1949. *Printed.*
- No. 23 Forty-seventh Annual Report of the Ontario Northland Transportation Commission Ontario Government Railway for the nine months' period ended 31st December, 1947. Presented to the Legislature, April 1st, 1949. *Printed.*
- No. 24 Forty-third Annual Report of the Ontario Municipal Board to December 31st, 1948. Presented to the Legislature, March 7th, 1949. *Printed.*
- No. 25 Annual Report of the Department of Reform Institutions, Province of Ontario, for the year ending March 31st, 1948. Part II—Training Schools. Presented to the Legislature, March 7th, 1949. *Printed.*
- No. 26 Forty-first Annual Report of the Hydro-Electric Power Commission of Ontario, for the year ended October 31st, 1948. Presented to the Legislature, April 1st, 1949. *Printed.*
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- No. 31 Fifteenth Annual Report of the Department of Municipal Affairs of the Province of Ontario for the year ending December 31st, 1948. Presented to the Legislature, April 1st, 1949. *Not Printed.*
- No. 32 Annual Report of the Department of Highways, Ontario, for the fiscal year ending March 31st, 1948. Presented to the Legislature, April 1st, 1949. *Printed.*
- No. 33 Report of the Secretary and Registrar of the Province of Ontario with respect to the administration of The Companies Act, and The Mortmain and Charitable Uses Act for the fiscal year ending March 31st, 1948. Presented to the Legislature, February 21st, 1949. *Not Printed.*



- No. 34 Annual Report of The Commissioner of the Ontario Provincial Police from January 1st, 1948, to December 31st, 1948. Presented to the Legislature, April 1st, 1949. *Printed.*
- No. 36 28th Annual Report of the Public Service Superannuation Board of the Province of Ontario for the year ending March 31st, 1948. Presented to the Legislature, March 7th, 1949. *Not Printed.*
- No. 37 Annual Report of the Civil Service Commissioner for Ontario for the year ending March 31st, 1948. Presented to the Legislature, March 7th, 1949. *Printed.*
- No. 38 Annual Report of The Milk Control Board of Ontario for the year ending March 31st, 1948. Presented to the Legislature, March 7th, 1949. *Printed.*
- No. 40 Return from the Records of the By-Election held in the Electoral District of Huron on the 9th and 16th of February, 1948; also, of the General Election held on the 31st of May and 7th of June, 1948, and of the subsequent By-Election held in the Electoral District of Parry Sound on the 2nd and 9th of December, 1948, showing:—
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- No. 41 Copy of Order-in-Council, No. 174/49 under The Northern Development Act. Presented to the Legislature, February 15th, 1949. *Not Printed.*
- No. 42 Report of the Secretary and Registrar of the Province of Ontario with respect to the administration of The Extra Provincial Corporations Act for the calendar year ending December 31st, 1948. Presented to the Legislature, February 21st, 1949. *Not Printed.*
- No. 43 Copies of Correspondence between the Minister of Education and the Honourable Mr. Justice Hope, Chairman of the Royal Commission on Education regarding the Report of the Royal Commission on Education. Presented to the Legislature, February 22nd, 1949. *Not Printed.*

- No. 44 Report of the Ontario Agricultural College and Experimental Farm for the year ending March 31st, 1946. Presented to the Legislature, March 7th, 1949. *Not Printed.*
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- No. 46 Report of the Ontario Stock Yards Board for the year ending June 30th, 1948. Presented to the Legislature, March 7th, 1949. *Not Printed.*
- No. 47 Report of Loans made under The Co-Operative Marketing Loan Act for the year ending December 31st, 1948. Presented to the Legislature, March 7th, 1949. *Not Printed.*
- No. 48 Report of the Ontario Food Terminal Board for the year ending December 31st, 1948. Presented to the Legislature, March 7th, 1949. *Not Printed.*
- No. 49 Return to an Order of the House, dated the 8th day of March, 1949, That there be laid before this House a Return showing: All Orders-in-Council passed since April 1st, 1948, under The Cheese and Hog Subsidy Act. Mr. Oliver. Presented to the Legislature, March 8th, 1949. *Not Printed.*
- No. 50 Return to an Order of the House dated March 17th, 1949, That there be laid before this House a Return showing: What was the Hydro-Electric Power Commission peak demand for power in the years 1942, 1943, 1944, 1945, 1946, 1947 and 1948. Mr. Houck. Presented to the Legislature, March 25th, 1949. *Not Printed.*
- No. 51 Return to an Order of the House dated March 17th, 1949, That there be laid before this House a Return showing: 1. To what persons or companies were contracts let for construction of the new highway from Highland Creek to the end of the pavement at Oshawa. 2. What was the mileage covered under each contract. 3. What was the cost per mile of construction under each contract. Which of said contracts were awarded by tender. Mr. Thomas (Ontario). Presented to the Legislature, March 28th, 1949. *Not Printed.*
- No. 52 Third Annual Report of Department of Travel and Publicity, Ontario, for the fiscal year 1948-1949. *Not Printed.*
- No. 53 Second Report of The Liquor Licence Board of Ontario for the year ended March 31st, 1948. Presented to the Legislature, April 1st, 1949. *Printed.*

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| No. 54 | Copies of correspondence between the Honourable Dana Porter, Minister of Education, and the Honourable Paul Martin, Minister of National Health and Welfare, regarding the Province of Ontario's participation in the National Physical Fitness Programme, and also a copy of the Agreement between the Government of the Dominion of Canada and the Government of the Province of Ontario, and the Outline Plan of the Ontario Department of Education for Physical Fitness and Recreation. Presented to the Legislature, April 4th, 1949. <i>Not Printed.</i> |
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#### RETURN ORDERED BUT NOT BROUGHT DOWN

Showing: What number of candidates for Secondary School Graduation (Grade XIII) were granted (a) first class standing, (b) second class standing, (c) third class standing, (d) credit standing, in the examinations of 1943, 1944, 1945, 1946 and 1947.



# JOURNALS

OF THE

## LEGISLATIVE ASSEMBLY

OF THE

### PROVINCE OF ONTARIO

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THURSDAY, FEBRUARY 10TH, 1949

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PROCLAMATION

RAY LAWSON

---

CANADA

---

PROVINCE OF ONTARIO

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GEORGE THE SIXTH by the Grace of God of Great Britain, Ireland and the British Dominions beyond the Seas KING, Defender of the Faith.

To Our Faithful, the Members elected to serve in the Legislative Assembly of our Province of Ontario, and to every of you—GREETING.

L. E. BLACKWELL, } **W**HEREAS it is expedient for certain causes and  
*Attorney-General.* } considerations to convene the Legislative  
Assembly of Our Province of Ontario, WE DO WILL that you and each of you  
and all others in this behalf interested, on Thursday, the tenth day of February  
now next, at Our City of Toronto, personally be and appear for the actual Des-  
patch of Business, to treat, act, do and conclude upon those things which, in  
Our Legislature for the Province of Ontario, by the Common Council of Our  
said Province, may by the favour of God be ordained.

HEREIN FAIL NOT.

IN TESTIMONY WHEREOF We have caused these Our Letters to be made Patent and the GREAT SEAL of Our Province of Ontario to be hereunto affixed.

WITNESS:

THE HONOURABLE RAY LAWSON, Officer of Our Most Excellent Order of the British Empire, Doctor of Laws, LIEUTENANT-GOVERNOR OF OUR PROVINCE OF ONTARIO.

At Our City of Toronto in Our said Province this twenty-second day of December in the year of Our Lord one thousand nine hundred and forty-eight and in the thirteenth year of Our Reign.

BY COMMAND

C. F. BULMER,  
*Clerk of the Crown in Chancery.*

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3 O'CLOCK P.M.

This being the First Day of the First Meeting of the Twenty-third Legislature of the Province of Ontario for the Despatch of Business, pursuant to a Proclamation of the Honourable Ray Lawson, O.B.E., LL.D., Lieutenant-Governor—Alexander Cameron Lewis, Esquire, Clerk of the Legislative Assembly, laid upon the Table of the House a Roll hereinafter fully set out containing a list of the names of the Members who had been returned at the General Elections to serve in this Legislature; and having been authorized to administer the Oaths to the Members, did administer the Oaths to the Members present; who after having taken the Oath and subscribed the Roll, took their seats in the House.

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## TWENTY-THIRD GENERAL ELECTION

Office of the Clerk of the  
Crown in Chancery, Ontario,  
Toronto, February 9th, 1949.

This is to certify that by reason of the Dissolution of the last Legislature on Friday, the Sixteenth day of April, A.D. 1948, and in virtue of Writs of Elections, dated on the Twenty-seventh day of April, A.D., 1948, issued by the Honourable the Lieutenant-Governor, and addressed to the hereinafter named persons as returning officers for all the Electoral Districts in the Province of Ontario, for the election of Members to represent the several Electoral Districts in the Legislature of the Province in the Parliament convened to meet on the Tenth day of February, A.D. 1949, the following named persons have been gazetted as duly elected to represent the Electoral Districts set opposite their respective names as appears by the Returns of the said Writs, deposited of Record in my office, namely:

Electoral District	Member Elect	Returning Officer
Addington.....	John Abbott Pringle.....	A. C. Cox
Algoma-Manitoulin....	John Arthur Fullerton.....	E. W. Davis
Brant.....	Harry Corwin Nixon.....	Chas. M. Collins
Brantford.....	George Thomas Gordon.....	P. A. Ballachey
Bruce.....	Kenzie Foster.....	W. W. Vance
Carleton.....	Donald Hugo Morrow.....	W. E. Johnston
*Cochrane North.....	J. P. H. Carrere.....	Lucien Guertin
Cochrane South.....	William John Grummett.....	R. P. Thompson
Dufferin-Simcoe.....	Alfred Wallace Downer.....	Robert A. McKelvey
Durham.....	John Weir Foote.....	R. R. Waddell
Elgin.....	Fletcher Stewart Thomas.....	Norman R. Martin
Essex North.....	Gordon Ellis.....	James Byrne
Essex South.....	William Murdoch.....	Rex Imeson
Fort William.....	Charles W. Cox.....	Egbert P. Kelly
Glengarry.....	Osie F. Villeneuve.....	A. A. Fraser
Grenville-Dundas.....	George H. Challies.....	J. Lawrence Pelton
Grey North.....	MacKinnon Phillips.....	James Jackson
Grey South.....	Farquhar R. Oliver.....	Lorne Armstrong
Haldimand-Norfolk..	Charles H. Martin.....	D. D. Gunton
Halton.....	Stanley L. Hall.....	Wm. G. McDowell
Hamilton Centre.....	Robert Thornberry.....	C. S. Lees
Hamilton East.....	John Lawrence Dowling.....	M. K. Heddle
Hamilton-Wentworth..	Russell Temple Kelley.....	George C. Hancock
Hastings East.....	Roscoe Robson.....	Barton Haggerty
Hastings West.....	William E. Sandercock.....	Garnet E. Dobbs
Huron.....	Thomas Pryde.....	Frank R. Darrow
Huron-Bruce.....	John W. Hanna.....	G. H. Ruttle
Kenora.....	James George White.....	Leslie H. Wilson
Kent East.....	Edward B. McMillan.....	Edwin A. Roberts
Kent West.....	George W. Parry.....	Ernest C. Brisco
Kingston.....	Harry A. Stewart.....	W. G. Cunningham
Lambton East.....	Charles E. Janes.....	Lyle Wicks
Lambton West.....	Bryan Lewis Cathcart.....	John A. Huey
Lanark.....	George Henry Doucett.....	C. A. Menzies
Leeds.....	Walter Bain Reynolds.....	J. S. Williscraft
Lincoln.....	Charles Daley.....	A. C. Wootton
London.....	Campbell C. Calder.....	G. G. Marshman
Middlesex North.....	Thomas L. Patrick.....	Morris B. Percival
Middlesex South.....	Harry M. Allen.....	L. D. Galbraith
Muskoka-Ontario....	G. Arthur Welsh.....	Chas. Ecclestone
Niagara Falls.....	W. L. Houck.....	Hartley Upper
Nipissing.....	William B. Harvey.....	James Martyn
Northumberland.....	William Arthur Goodfellow....	Harvey Brent
Ontario.....	Thomas David Thomas.....	E. W. Webber
Ottawa East.....	Aurele Chartrand.....	Roger M. Seguin
Ottawa South.....	George H. Dunbar.....	Samuel Lepofsky
Oxford.....	Thomas R. Dent.....	E. L. McMulkin
†Parry Sound.....	Charles W. Cragg.....	Fred W. Hosking
Peel.....	Thomas L. Kennedy.....	B. Harper Bull
Perth.....	J. Frederick Edwards.....	Robert Hurst
Peterborough.....	Harold R. Scott.....	D. J. Lawrie

Electoral District	Member Elect	Returning Officer
Port Arthur.....	Frederick O. Robinson.....	Peter A. LeGrow
Prescott.....	Louis Pierre Cecile.....	Eugene Paquette
Prince Edward-Lennox.....	John Donald Baxter.....	Thomas S. Walker
Rainy River.....	James Melvin Newman.....	G. F. Gillon
Renfrew North.....	Stanley Joseph Hunt.....	H. B. Partridge
Renfrew South.....	James Shannon Dempsey.....	J. H. Findlay
Russell.....	J. Daniel Nault.....	Wendell M. Stanley
Sault Ste. Marie.....	George I. Harvey.....	G. E. Richardson
Simcoe Centre.....	George Graham Johnston.....	S. A. Lee
Simcoe East.....	John Duncan McPhee.....	David H. Church
Stormont.....	John Lawrence McDonald.....	Stanley B. Craig
Sudbury.....	Welland Stewart Gemmell.....	Arthur J. Manly
Temiskaming.....	Calvin H. Taylor.....	A. Wallace
Victoria.....	Leslie M. Frost.....	H. E. McMullen
Waterloo North.....	John G. Brown.....	F. W. K. Bingham
Waterloo South.....	Theodore H. Isley.....	R. M. Myers
Welland.....	Harold William Walker.....	J. Park Reilly
Wellington North.....	Ross A. McEwing.....	Thos. W. Padfield
Wellington South.....	William E. Hamilton.....	Roy P. Findlay
Wentworth.....	Joseph Easton.....	Thos. J. Mahoney
Windsor-Sandwich.....	William Griesinger.....	H. R. McGladdery
Windsor-Walkerville.....	M. Cooke Davies.....	W. D. Dayus
York East.....	Agnes Macphail.....	John Warren
York North.....	A. Alexander Mackenzie.....	Arthur J. Wells
York South.....	Edward B. Jolliffe.....	Margaret M. Green
York West.....	Charles H. Millard.....	Thos. F. Carter

Toronto:

Beaches.....	Reid Scott.....	Alex Hodgins
Bellwoods.....	A. A. MacLeod.....	Archie Knight
Bracondale.....	Harry L. Walters.....	Robert Martin
Dovercourt.....	George Eamon Park.....	H. E. Lister
Eglinton.....	Leslie E. Blackwell.....	Murray L. Keyfetz
High Park.....	William H. Temple.....	W. D. Butt
Parkdale.....	Lloyd Fell.....	W. F. McKeown
Riverdale.....	Leslie E. Wismer.....	Garrett F. Frankland
St. Andrew.....	J. B. Salsberg.....	Frank Chambers
St. David.....	William Dennison.....	Robt. M. Yeomans
St. George.....	Dana H. Porter.....	D. A. McCabe
St. Patrick.....	Charles Edward Rea.....	Edith J. Probert
Woodbine.....	Bertram E. Leavens.....	Norman K. Bennett

\*Departed this life on October 6th, 1948.

†Departed this life on August 19th, 1948.

*C. F. BULMER,*  
*Clerk of the Crown in Chancery.*



And the House having met,

The Honourable the Lieutenant-Governor, having entered the House, took his seat on the Throne.

Mr. Porter, the Provincial Secretary, then said:

"I am commanded by the Honourable the Lieutenant-Governor to state that he does not see fit to declare the causes of the summoning of the present Legislature of this Province until a Speaker of this House shall have been chosen according to law, but to-day at a subsequent hour His Honour will declare the causes of the calling of this Legislature."

His Honour was then pleased to retire.

And the Clerk having called for nominations for the office of Speaker, the Prime Minister, Mr. Kennedy, addressing himself to the Clerk, proposed to the House for their Speaker, Rev. M. Cooke Davies, Esquire, Member for the Electoral District of Windsor-Walkerville, which motion was seconded by Mr. Jolliffe, and it was

*Resolved*, That Rev. M. Cooke Davies, Esquire, do take the Chair of this House as Speaker.

The Clerk having declared the Honourable M. Cooke Davies duly elected, he was conducted by the Prime Minister and Mr. Jolliffe to the Dais, where, standing on the upper step, he returned his humble acknowledgement to the House for the great honour they had been pleased to confer upon him by choosing him to be their Speaker.

And thereupon he sat down in the Chair and the Mace was laid upon the Table.

The House then adjourned during pleasure.

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The Honourable the Lieutenant-Governor then re-entered the House and took his seat on the Throne.

Mr. Speaker then addressed His Honour to the following effect:—

*May it please Your Honour,*

The Legislative Assembly have elected me as their Speaker, though I am but little able to fulfil the important duties thus assigned to me.

If, in the performance of those duties, I should at any time fall into error, I pray that the fault may be imputed to me and not to the Assembly whose servant I am, and who, through me, the better to enable them to discharge their duty to their King and Country, hereby claim all their undoubted rights and

privileges, especially that they may have freedom of speech in their debates, access to your person at all seasonable times, and that their proceedings may receive from you the most favourable consideration.

The Provincial Secretary then said:

Mr. Speaker,

I am commanded by the Honourable the Lieutenant-Governor to declare to you that he freely confides in the duty and attachment of the Assembly to His Majesty's person and Government, and not doubting that the proceedings will be conducted with wisdom, temperance and prudence, he grants and upon all occasions will recognize and allow the constitutional privileges.

I am commanded also to assure you that the Assembly shall have ready access to His Honour upon all suitable occasions, and that their proceedings, as well as your words and actions, will constantly receive from him the most favourable construction.

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The Honourable the Lieutenant-Governor was then pleased to open the Session with the following gracious speech:

*Mr. Speaker and Members of the Legislative Assembly:*

On the occasion of this inaugural meeting of the Twenty-third Legislature of the Province of Ontario I am happy to extend a welcome to each one of you, and especially to those of you who now meet here for the first time. I express the confident hope that much benefit will result to the people of Ontario from your deliberations.

It was with the deepest regret and most grave concern that it was learned, late in the Autumn, that His Majesty, the King, had been stricken by a serious illness. Happily his recovery is progressing well, and it is hoped that the treatment and rest prescribed for him will restore His Majesty to the full strength and vigour which he maintained so staunchly under the most trying and strenuous conditions of the war years. I am sure that our thoughts are for his complete and early recovery, and that our fullest good wishes go to him.

An historic event of much significance came about during the month of November last. A son was born to Their Royal Highnesses the Princess Elizabeth and the Duke of Edinburgh. Most appropriately he has been named "Prince Charles". In happy fashion, the marriage of our Princess, so beloved everywhere, has maintained and strengthened the strong and binding traditions of Royal leadership, so priceless to all of the British nations, and indeed to the preservation of the freedoms of democracy throughout the world. To the young Royal couple go our warmest good wishes and congratulations.

During recent months this Legislature has suffered the loss of two of its new members, both in the prime of their earlier years and neither of whom was spared to give his contribution to its deliberations. In August Mr. Charles W.

Cragg, who was elected in June to represent the riding of Parry Sound, was stricken by a fatal illness in his thirty-sixth year. It is a matter of the greatest sadness that one so public spirited and so promising of much capacity, should be lost to the people of his native province. I extend profound sympathy in their loss to his wife and young family.

In October a fatal accident took the life of Mr. John H. P. Carrere, also newly elected in June to represent the riding of North Cochrane. Mr. Carrere had passed only his thirty-seventh birthday, and his untimely and most unfortunate death has lost to this Legislature not only a young man of public consciousness but a brilliant and outstanding war hero. To his parents, who came from France in 1908 to hew a farm from the bush near Cochrane, I express deep sympathy and commiseration.

During the last five years the Province of Ontario has experienced unprecedented conditions of progress. The pace of industry in the Province has accelerated greatly since the termination of active warfare. The production of agricultural areas has never been on a higher plane. The whole economy of the Province in all of its aspects has undergone broad development, with consequent improvement and benefit to all of our people and to their capacity to pay for goods and services. Truly Ontario is a great Province, and with confidence it can be predicted that economically, socially and culturally its future is of unbounded promise.

My Government has directed its endeavors in that period to the development of those policies of governmental administration which would keep pace with new and progressive conditions and to the application of those policies for the best advantage of the people of the Province. Generous expenditure has been made for the insuring of greater security and well-being of those engaged in agriculture; for the advancement and expansion of educational facilities; for the co-ordination and improvement of social welfare; for the broadening of the availability of hospital care and other facilities essential to sound health; for the rehabilitation of those persons requiring confinement in penal and reformatory institutions; for the expanded construction and maintenance of our great highway system; for the preservation and conservation of our munificent natural resources; and for many other purposes of great value to the people.

Expanding industrial activity has been accompanied by an expanding population. Much effort was directed to the arousing of interest on the part of British manufacturers in the opportunities offered by Ontario for the establishment of branch plants and new enterprises. This effort has been signally successful, and many new industries are here or are in the course of coming here. Recognizing the necessities of industrial expansion and economic progress, and the inevitability of wide agricultural, commercial and cultural development, the capacity and eminent suitability of the Province for the settlement of new peoples was made known wherever immigrants of character and resourcefulness could be found, especially in Great Britain. Many thousands have come, and have found happiness and security in our Province.

Under legislation passed at the last session, assistance has been provided for the construction, by private enterprise, of more than five thousand new homes in the Province. My Government expects that this form of encouragement to the individual home owner will be greatly expanded during the coming year.

Never in the history of Ontario was there promise of greater substance, stability and progress. Never in the history of Ontario has the essential need for profound thought and care in the maintenance of this invaluable promise been of greater import. Every effort and endeavor will be directed to the preservation of those conditions. My Government is deeply concerned, and views with grave apprehension any influence or distraction which would misdirect its efforts in this cause. The evils and dangers of inflationary over-expansion are constantly in mind in the consideration and formulation of the measures necessary to effect consolidation of the position now attained. You will be asked to approve proposals designed upon the broad principle of consolidation, with such consequent retrenchment as may be incident to that principle.

The generous support of projects leading towards improvement in the welfare of agriculture will be maintained. Elementary and secondary education of our children will continue to receive broad assistance. The many facilities essential to sound health and the programmes leading towards that goal, will be improved and widened. Generous aid will be continued for the improvement of social welfare. Progressive and sympathetic law enforcement with particular firmness in the suppression of subversive elements so as to guarantee the rights of the people to go about their lawful business, highway development consistent with the availability of essential supplies without prejudicing home construction, comprehensively fair provision for the needs and obligations of labour, trade and industrial relations, the tourist industry, and the utilization and conservation of our great natural resources will continue to receive the closest attention.

My Government regrets that due to the intransigent attitude of the Dominion Government little progress has been made towards the settlement of the respective responsibilities of the Dominion and provincial Governments, especially in the fields of taxation, health and social legislation. The Province of Ontario contributes greatly to the strength and vigour of our nation. The Province has freely and willingly offered to meet with the Dominion and the other provinces, in a spirit of co-operation, understanding and mutual good will in laying the foundation for greater expansion and prosperity. My Government feels that it is most unfortunate that these offers of co-operation with the other governments, within our constitutional structure, have been rebuffed, but, however, will proceed in its efforts, with the feeling that a satisfactory settlement of outstanding problems will be achieved ultimately.

My Government is keenly interested in the welfare of municipalities and in the effectiveness of municipal administration, and measures will be introduced to rationalize further the relationships between municipalities and the Province. Legislation will be introduced to enable the Courts in all divorce actions, to deal adequately with the custody and welfare of children under sixteen. Other subjects to be submitted for consideration will include—the assisting of municipalities in the maintenance and training of effective Police and Fire Departments, the improvement of superannuation benefits for teachers and inspectors, the widening of assistance for community halls, skating rinks and playing fields, the improvement of the legislation regarding drainage, and legislation affecting hospitals and County homes for the aged. A measure will also be introduced which will provide for the clear distinguishment in all forms of sale to the consumer, between butter and oleomargarine.

I am happy once again to extend a word of appreciation to the permanent service. Through their loyal efforts your work for the welfare of the people is translated into administrative action, and our thanks go to them. Grateful recognition is extended to those who have reached their retirement during the past year, and our respect is spoken to the memory of those who have died.

The Public Accounts for the last complete fiscal year, and the Estimates for the year 1949-50, will be submitted for your consideration and approval.

Finally, may I express the hope that your deliberations, in the interests of the welfare and happiness of the people of our Province, will be guided by Divine Providence.

His Honour was then pleased to retire.

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PRAYERS.

3.30 O'CLOCK P.M.

Mr. Speaker then reported,

That, to prevent mistakes, he had obtained a copy of His Honour's Speech, which he read.

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Mr. Speaker advised the House that Mr. Jolliffe, member for York South, was recognized as leader of the Opposition.

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Mr. Speaker informed the House that the Clerk had received notification of vacancies which had occurred in the membership of the House since the general election, through the deaths of the Members-elect for the Electoral Districts of Parry Sound and Cochrane North, and the Clerk of the Crown in Chancery had issued his writ for an election to fill the vacancy so created in the Electoral District of Parry Sound.

TO CHARLES FREDERICK BULMER, ESQUIRE,  
Clerk of the Crown in Chancery,  
Province of Ontario.

We, the undersigned, Thomas Laird Kennedy, Member elect of the Legislative Assembly of Ontario for the Electoral District of Peel, and Dana Porter, Member-elect of the said Legislative Assembly for the Electoral District of St. George, do hereby notify you that a vacancy has occurred in the representation in the said Legislative Assembly for the Electoral District of Parry Sound by reason of the death of Charles W. Cragg, Esq., Member-elect for the said Electoral District of Parry Sound. And we, the said Thomas Laird Kennedy and Dana Porter, Members-elect of the Assembly aforesaid, hereby require you to issue a new writ for the election of a member to fill the said vacancy.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on this Twenty-eighth day of October in the year of our Lord one thousand nine hundred and forty-eight.

Signed and sealed in the presence of  
ALEX. C. LEWIS.

THOMAS L. KENNEDY (Seal)

DANA PORTER (Seal)

TO CHARLES FREDERICK BULMER, ESQUIRE,  
Clerk of the Crown in Chancery,  
Province of Ontario.

We, the undersigned Thomas Laird Kennedy, Member-elect of the Legislative Assembly of Ontario for the Electoral District of Peel, and George H. Dunbar, Member-elect of the said Legislative Assembly for the Electoral District of Ottawa South, do hereby notify you that a vacancy has occurred in the representation in the said Legislative Assembly for the Electoral District of Cochrane North by reason of the death of John P. H. Carrere, Esquire, Member-elect for the said Electoral District of Cochrane North.

IN WITNESS WHEREOF, we have hereunto set our hands and seals on the Fourth day of February in the year of our Lord one thousand nine hundred and forty-nine.

Signed and sealed in the presence of  
ALEX. C. LEWIS.

THOMAS L. KENNEDY (Seal)

G. H. DUNBAR (Seal)

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Mr. Speaker informed the House,

That the Clerk had received from the Clerk of the Crown in Chancery, and laid upon the Table, the following certificate of the By-election held since the General Election:—

Electoral District of Parry Sound—Mr. Allister Johnston.

#### PROVINCE OF ONTARIO

THIS IS TO CERTIFY that in view of a Writ of Election, dated the Twenty-eighth day of October, A.D. 1948, issued by the Honourable the Lieutenant-Governor, and addressed to George Ziegler, Esquire, Returning Officer for the Electoral District of Parry Sound, for the election of a Member to represent the said Electoral District of Parry Sound in the Legislative Assembly of this Province, in the room of Charles W. Cragg, Esquire, who, since his election as representative of the said Electoral District of Parry Sound, has departed this life, Allister Johnston, Esquire, has been returned as duly elected as appears by the Return of the said Writ of Election, dated the Twenty-first day of December, A.D. 1948, which is now lodged of record in my office.

C. F. BULMER,  
*Clerk of the Crown in Chancery.*

Toronto, February 9th, 1949.

Allister Johnston, Esquire, Member for the Electoral District of Parry Sound, having taken the Oath and subscribed the Roll, took his seat.

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The following Bills were severally introduced and read the first time:—

Bill (No. 37), intituled, "The Community Centres Act, 1949." *Mr. Kennedy.*

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 38), intituled, "An Act to amend The Training Schools Act, 1939." *Mr. Dunbar.*

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 39), intituled, "An Act to amend The Industrial Standards Act." *Mr. Daley.*

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 40), intituled, "An Act to amend The Public Utilities Act." *Mr. Robinson.*

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 41), intituled, "An Act to amend The Hours of Work and Vacations with Pay Act, 1944." *Mr. Park.*

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 42), intituled, "The Fumes Control Act, 1949." *Mr. Dowling.*

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 43), intituled, "The Bill of Rights Act, 1949." *Mr. Walters.*

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 44), intituled, "An Act to amend The Hours of Work and Vacations with Pay Act, 1944." *Mr. Taylor.*

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 45), intituled, "An Act to amend The Workmen's Compensation Act." *Mr. Thomas (Ontario).*

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 46), intituled, "An Act to amend The Rights of Labour Act, 1944." *Mr. Ellis.*

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 47), intituled, "An Act to amend The Arbitration Act." *Mr. Blackwell.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 48), intituled, "An Act to amend The Coroners Act, 1948." *Mr. Blackwell.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 49), intituled, "An Act to amend The County Courts Act." *Mr. Blackwell.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 50), intituled, "The Crown Attorneys Act, 1949." *Mr. Blackwell.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 51), intituled, "An Act to amend The Deserted Wives' and Children's Maintenance Act. *Mr. Blackwell.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 52), intituled, "An Act to amend The Crown Witnesses Act." *Mr. Blackwell.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 53), intituled, "An Act to amend The Division Courts Act." *Mr. Blackwell.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 54), intituled, "An Act to amend The Judicature Act." *Mr. Blackwell.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 55), intituled, "An Act to amend The Limitations Act." *Mr. Blackwell.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 56), intituled, "An Act to amend The Public Officers' Fees Act." *Mr. Blackwell.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 57), intituled "An Act to Provide for the Consolidation of the Statutes." *Mr. Blackwell.*

*Ordered,* That the Bill be read the second time to-morrow.



Bill (No. 58), intituled, "An Act to amend The Summary Convictions Act."  
*Mr. Blackwell.*

*Ordered,* That the Bill be read the second time to-morrow.

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On motion by Mr. Kennedy, seconded by Mr. Frost,

*Ordered,* That the Speech of the Honourable the Lieutenant-Governor to this House be taken into consideration to-morrow.

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On motion by Mr. Kennedy, seconded by Mr. Frost,

*Ordered,* That, during the present Session of the Legislative Assembly, provision be made for the taking and printing of reports of debates and speeches and to that end that Mr. Speaker be authorized to employ an editor of debates and speeches and the necessary stenographers at such rates of compensation as may be agreed to by him; also that Mr. Speaker be authorized to arrange for the printing of the reports, as authorized, in the amount of 1,200 daily, copies of such printed reports to be supplied to the Honourable the Lieutenant-Governor and each member of the Assembly and the balance to be distributed by the Clerk of the Assembly as directed by Mr. Speaker.

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On motion by Mr. Kennedy, seconded by Mr. Frost,

*Ordered,* That Select Committees of this House, for the present Session, be appointed for the following purposes: 1. On Privileges and Elections; 2. On Education; 3. On Miscellaneous Private Bills; 4. On Standing Orders; 5. On Public Accounts; 6. On Printing; 7. On Municipal Law; 8. On Legal Bills; 9. On Agriculture and Colonization; 10. On Fish and Game; 11. On Labour; 12. On Mining.

Which said Committees shall severally be empowered to examine and enquire into all such matters and things as shall be referred to them by the House, and to report from time to time their observations and opinions thereon, with power to send for persons, papers and records.

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On motion by Mr. Kennedy, seconded by Mr. Frost,

*Ordered,* That a Select Committee of eleven Members be appointed to prepare and report, with all convenient despatch, lists of the Members to compose the Select Standing Committees ordered by the House, such Committee to be composed as follows:—

Messrs. Cathcart, Chartrand, Gemmell, Grummett, Hall, Morrow, Murdoch, McEwing, Pringle, Stewart and Taylor.

The quorum of such committee to consist of four members.

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Before moving the adjournment of the House, Mr. Kennedy, the Prime Minister, rose to express the deep regret of the Members generally at the deaths of the late Charles Cragg, Member-elect for the Electoral District of Parry Sound, and the late John H. P. Carrere, Member-elect for the Electoral District of Cochrane North.

Mr. Jolliffe, Leader of His Majesty's Loyal Opposition, Mr. Oliver, Leader of the Liberal Party, and Mr. MacLeod joined in support of the Prime Minister's remarks.

Also before the adjournment of the House, Mr. Jolliffe rose to express congratulations to Mr. Kennedy on his elevation to the office of Prime Minister, in which he was joined by Mr. Oliver and Mr. MacLeod.

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The Provincial Secretary presented to the House, by command of the Honourable the Lieutenant-Governor:—

Public Accounts of the Province of Ontario for the year ended 31st March, 1948. (*Sessional Papers No. 1.*)

Also, Provincial Auditor's Report, 1947-48. (*Sessional Papers No. 27.*)

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The House then adjourned at 4.10 p.m.

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FRIDAY, FEBRUARY 11TH, 1949

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PRAYERS.

3 O'CLOCK P.M.

The following Petitions were severally brought up and laid upon the Table:—

By Mr. Rea, the Petition of the Corporation of the Federation for Community Service of Toronto; also, the Petition of the Incorporated Synod of the Diocese of Toronto; also, the Petition of the Corporation of the Trustees of Wycliffe College; also, the Petition of the Corporation of the Hospital for Sick Children; also, the Petition of the Corporation of the City of Toronto; also, the Petition of the Corporation of the Canadian National Exhibition Association; also, the Petition of the Corporation of the City of Toronto.

By Mr. Cox, the Petition of the Corporation of the Mount McKay and Kakabeka Falls Railway Company.

By Mr. Murdoch, the Petition of the Corporation of Cottam Farmers Limited; also, the Petition of Harold B. Cadman, Robert D. Euler, Robert W. Francis, et al.; also, the Petition of the Corporation of the Township of Tecumseh.

By Miss Macphail, the Petition of the Corporation of the Township of Scarborough; also, the Petition of the Corporation of the Township of East York.

By Mr. Pringle, the Petition of the Corporation of the County of Frontenac; also, the Petition of the Township of Kingston and the Board of School Trustees of the School Area of Kingston No. 1.

By Mr. Nault, the Petition of the Corporation of l'Institut Jeanne D'Arc.

By Mr. Hall, the Petition of the Corporation of the Township of Toronto.

By Mr. Patrick, the Petition of the Corporation of the City of London.

By Mr. Parry, the Petition of the Corporation of the City of Chatham.

By Mr. Sandercock, the Petition of the Corporation of the City of Belleville.

By Mr. Stewart, the Petition of the Corporation of the Synod of the Diocese of Ontario; also, the Petition of the Corporation of the City of Peterborough.

By Mr. Millard, the Petition of the Corporation of the Township of Etobicoke.

By Mr. McDonald, the Petition of the Cornwall Street Railway, Light and Power Company, Limited.

By Mr. Johnston (Simcoe Centre), the Petition of the Corporation of the Improvement District of Wasaga Beach.

By Mr. Hamilton, the Petition of the Corporation of McMaster University.

By Mr. Cathcart, the Petition of Hope Harris Millholland, Floretta Ruth Sleeth, Chester Holdsworth Belton, William Gordon Link, et al; also, the Petition of Angus Bernard MacDonald, Albert Cornelius Savage, Louis Joseph Billy, et al.

By Mr. Grummett, the Petition of the Corporation of the Township of Whitney.

By Mr. Phillips, the Petition of the Corporation of the City of Owen Sound.

By Mr. Chartrand, the Petition of the Corporation of the City of Ottawa.

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The following Bills were severally introduced and read the first time:—

Bill (No. 59), intituled, "The Warble-fly Control Act, 1949." *Mr. Kennedy.*

*Ordered,* That the Bill be read the second time on Monday next.

Bill (No. 60), intituled, "An Act to amend The Credit Unions Act, 1940." *Mr. Kennedy.*

*Ordered,* That the Bill be read the second time on Monday next.

Bill (No. 61), intituled, "An Act to amend The Farm Products Marketing Act, 1946." *Mr. Kennedy.*

*Ordered,* That the Bill be read the second time on Monday next.

Bill (No. 62), intituled, "The Farm Products Containers Act, 1949." *Mr. Kennedy.*

*Ordered,* That the Bill be read the second time on Monday next.

Bill (No. 63), intituled, "An Act to amend The Ontario Food Terminal Act, 1946." *Mr. Kennedy.*

*Ordered,* That the Bill be read the second time on Monday next.

Bill (No. 64), intituled, "An Act to amend The Election Act." *Mr. MacLeod.*

*Ordered,* That the Bill be read the second time on Monday next.

Bill (No. 65), intituled, "An Act to amend The Municipal Act." *Mr. Salsberg.*

*Ordered,* That the Bill be read the second time on Monday next.

Bill (No. 66), intituled, "An Act to amend The Minimum Wage Act." *Mr. MacLeod.*

*Ordered,* That the Bill be read the second time on Monday next.

Bill (No. 67), intituled, "An Act to Extend the Right to Vote at Municipal Elections to the Classes of Persons that may Vote at Elections to the Assembly." *Mr. Salsberg.*

*Ordered,* That the Bill be read the second time on Monday next.

Bill (No. 68), intituled, "An Act to amend The Public Schools Act." *Mr. MacLeod.*

*Ordered,* That the Bill be read the second time on Monday next.

Bill (No. 69), intituled, "An Act to amend The Hours of Work and Vacations with Pay Act, 1944." *Mr. Salsberg.*

*Ordered,* That the Bill be read the second time on Monday next.

Bill (No. 70), intituled, "An Act to amend The Hours of Work and Vacations with Pay Act, 1944." *Mr. Salsberg.*

*Ordered,* That the Bill be read the second time on Monday next.

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Before the Orders of the Day were called Mr. Jolliffe, speaking to a question of personal privilege, referred to certain press reports concerning evidence given at the Keays Inquiry with regard to the cancellation of a speeding charge against him (Mr. Jolliffe). He stated that his purpose in referring to the matter was to make it perfectly clear that at no time did he take any steps whatever or speak to any person with respect to this or any other speeding charge.

Also before the Orders of the Day Mr. Jolliffe asked the Minister of Labour (Mr. Daley) as to efforts being made to settle the strike in the Town of Paris.

Mr. Daley outlined the efforts of the Department of Labour, first to prevent the strike and then to conciliate it. He emphasized the point that the strike was a legal one and that the regulations had been properly followed by the Union.

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The Order of the Day for the Consideration of the Speech of the Honourable the Lieutenant-Governor at the opening of the Session having been read,

Mr. Foote moved, seconded by Mr. Johnston (Parry Sound),

That an humble Address be presented to the Honourable the Lieutenant-Governor as follows:—

*To the Honourable Ray Lawson, O.B.E., LL.D.,  
Lieutenant-Governor of the Province of Ontario.*

We, His Majesty's most dutiful and loyal subjects, the Legislative Assembly of the Province of Ontario, now assembled, beg leave to thank Your Honour for the gracious speech Your Honour has addressed to us.

And a Debate having ensued, it was, on the motion of Mr. Jolliffe,

*Ordered,* That the Debate be adjourned until Tuesday next.

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The House then adjourned at 4.25 p.m.

MONDAY, FEBRUARY 14TH, 1949

PRAYERS

3 O'CLOCK P.M.

The following Petition was brought up and laid upon the Table:

By Mr. Murdoch, the Petition of the Corporation of the Township of Sandwich West.

The following Petitions were read and received:—

Of the Corporation of the Federation for Community Service of Toronto, praying that an Act may pass for the purpose of vesting in the Community Chest of Greater Toronto, any and all donations, legacies, bequests, monies, securities or property of any kind to which the Corporation upon and after the surrender and cancellation of its charter would be or become entitled were it still in existence.

Of the Corporation of the Mount McKay and Kakabeka Falls Railway Company, praying that an Act may pass accepting the surrender of the Company's charter and the powers conferred upon it by its Act of Incorporation, being Chapter 82 of the Statutes of Ontario, 1904, and Acts in amendment thereof and to authorize the distribution of the Company's assets rateably amongst its shareholders.

Of the Incorporated Synod of the Diocese of Toronto, praying that an Act may pass permitting the Corporation to invest up to thirty per centum of the book value of its assets in any investments or securities that are now or may hereafter be authorized investments for joint stock companies and cash-mutual insurance corporations under the provisions of The Companies Act.

Of the Corporation of Cottam Farmers Limited, praying that an Act may pass making the said Corporation, from January 1st, 1950, subject to Part XII of The Companies Act excepting clause (i) of subsection (6) of Section (4) thereof and substituting therefor (i) Payment of interest on the paid up capital at such rate as may be determined annually by By-law.

Of Harold B. Cadman, Robert D. Euler, Robert W. Francis, *et al.*, praying that an Act may pass incorporating The Institute of Accredited Public Accountants of Ontario.

Of the Corporation of the Township of Scarborough, praying that an Act may pass to declare that no part of the Township shall for a period of five years be annexed to any adjoining Municipality without the assent of the municipal electors of the said Township, and to provide that paragraphs 1, 46 and 50 of section 407 and paragraphs 3 and 7 of section 414 of The Municipal Act, Chapter 224, R.S.O. 1937, shall apply to the said Township.

Of the Corporation of the County of Frontenac, praying that an Act may

pass to establish the said County, except those parts which respectively consist of the City of Kingston and the Township of Wolfe Island as a High School District to be known as Frontenac High School District, and to establish a High School Board for the said District under the name of the Frontenac High School Board and to discontinue the Sydenham High School District.

Of the Corporation of l'Institut Jeanne D'Arc, praying that an Act may pass exempting all property, real and personal, vested in, owned or occupied by the said Corporation from all assessments, levies, rates and taxes for Municipal or school purposes.

Of the Corporation of the Township of Toronto, praying that an Act may pass extending the powers of the Council of the said Corporation to include additional local improvement projects such as sewers, sidewalks, curbs, pavement, street lighting and other public utilities.

Of the Corporation of the City of London, praying that an Act may pass authorizing a By-law to provide for the purchase of the undertakings and assets of The London Street Railway Company and for other purposes.

Of the Corporation of the City of Chatham, praying that an Act may pass amending The City of Chatham Act, 1921, as amended by The City of Chatham Act, 1924, to enable the Council of the said Corporation, by By-law, passed not later in any year than the 1st day of November, to fix different places and times for nomination of candidates for Mayor, for Council and for any local Board or Commission, any members of which are to be elected by ballot; and the day for the polling in accordance with and subject to the provisions of The Municipal Act.

Of the Corporation of the Hospital for Sick Children, praying that an Act may pass providing that no person who is a governor, trustee, director, member of the board of management, officer, employee or servant of any other hospital or infirmary shall be eligible to be appointed a trustee or officer of the said Corporation, and for other purposes.

Of the Corporation of the City of Belleville, praying that an Act may pass increasing the membership of the Public Utilities Commission of the said Corporation and to ratify a By-law to increase the term of office of Aldermen of the said Corporation.

Of the Corporation of the Synod of the Diocese of Ontario, praying that an Act may pass to extend the powers of the Corporation of investment for its general funds to include such securities as are now or shall hereafter be authorized investments for joint stock insurance companies and cash-mutual insurance corporations under the provisions of The Companies Act.

Of the Corporation of the City of Peterborough, praying that an Act may pass to amend The Peterborough Civic Hospital Act, 1945, to enable the Corporation to provide additional funds for the completion of the said Hospital and such further funds as may be required in future for its enlargement and for other purposes.

Of the Corporation of the Township of Etobicoke, praying that an Act may pass consolidating the present existing school sections in the said Township into a Township School Area and enlarging the present High School Area to include the entire Township and establishing a Board of Education.

Of the Corporation of the Cornwall Street Railway, Light and Power Company, praying that an Act may pass validating a franchise agreement entered into by the said Corporation with the Corporations of the City of Cornwall and the Township of Cornwall and validating By-laws of the said City and Township granting the franchise.

Of the Corporation of the City of Toronto, praying that an Act may pass respecting municipal elections or amending the Municipal Act by consolidating the provisions respecting municipal elections, including the election of Public School Boards, Separate School Boards, Boards of Education and the Trustees of the Toronto and Suburban Separate School Board.

Of the Corporation of the Township of Kingston and the Board of School Trustees of the Township School Area of Kingston No. 1, praying that an Act may pass authorizing the said Corporation and the said Trustees to enter into an agreement with His Majesty in right of the Dominion of Canada, represented by Wartime Housing Limited, terminating the existing agreement and substituting new provisions in respect of taxes, finances and otherwise affecting the housing area covered by the said agreement; providing for the erection of a school for the said housing area; and for other purposes.

Of the Corporation of the Town of Tecumseh, praying that an Act may pass amending The Town of Tecumseh Act, 1927, by changing the present constitution of the Town Council of Mayor, Reeve and three Councillors to Mayor, Reeve, Deputy Reeve and two Councillors.

Of the Corporation of the City of Owen Sound, praying that an Act may pass amending The City of Owen Sound Act, 1938, making certain changes in the membership of the Civic Auditorium Commission.

Of Hope Harris Millholland, Floretta Ruth Sleeth, Chester Holdsworth Belton, William Gordon Link, *et al.*, praying that an Act may pass incorporating the Sarnia Young Men's and Young Women's Christian Association a body politic and corporate.

Of the Corporation of the City of Toronto, praying that an Act may pass validating an agreement between the said Corporation and the Toronto Transportation Commission for transferring the Island Ferry Service and equipment to the said Commission and for other purposes.

Of the Corporation of the Canadian National Exhibition Association, praying that an Act may pass amending The Canadian National Exhibition Act, 1948, changing the membership of the General, Manufacturers and Liberal Arts section of the said Association.

Of the Corporation of the Township of Whitney, praying that an Act may pass validating certain By-laws of the Corporation which provide for special



rates on all rateable property in the municipality as a source of revenue for repayment of debentures issued in pursuance to the said By-laws.

Of Angus Bernard MacDonald, Albert Cornelius Savage, Louis Joseph Billy, *et al.*, praying that an Act may pass incorporating the Ontario Co-operative Credit Society.

Of the Corporation of the Township of East York, praying that an Act may pass confirming the title of the said Corporation in the lands shown in a certain plan dated the 25th day of January, 1946, and registered in the Registry Office for the East and West Riding of the County of York on the 14th day of May, 1946, as Plan No. 3281.

Of the Corporation of the Trustees of Wycliffe College, praying that an Act may pass authorizing the Trustees to invest all such funds as are now in or may hereafter come into their hands, in any investments or securities that are now or may hereafter be authorized for investment by Trustees under The Trustee Act and in any investments or securities that are now or may hereafter be authorized for joint stock insurance companies or cash-mutual insurance corporations under the provisions of The Companies Act and to alter and vary such investments from time to time by substituting others of a like nature.

Of the Corporation of the Improvement District of Wasaga Beach, praying that an Act may pass incorporating the said District as a Village.

Of the Corporation of McMaster University, praying that an Act may pass amending the Act of Incorporation of the said University as amended from time to time, to increase the membership of the Board of Governors and for other purposes.

Of the Corporation of the City of Ottawa, praying that an Act may pass amending The City of Ottawa Act, 1941, as amended by The City of Ottawa Act, 1948, to defer the time of entry by the said Corporation on certain expropriated lands from the 1st day of January, 1950, to the 1st day of January, 1955.

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Before the Orders of the Day, Mr. Jolliffe rose to a point of order with reference to Bills being marked "Printed" on the Order Paper when they had not been distributed to the Members.

The Attorney-General explained that this situation is caused by the effort of the officials to indicate which Bills would, in their judgment, be printed and distributed by the time the Order Paper itself is distributed; and that, if a Bill is held up in printing unexpectedly, it results in the situation referred to by Mr. Jolliffe.

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Mr. Kennedy moved, seconded by Mr. Blackwell,

That so soon as may be this House do refer to the Select Committee on Privileges and Elections for full examination and inquiry, the matter of alleged discrepancies or irregularities in the returns made under The Election Act by

the returning officer, deputy returning officers, poll clerks or others, or any of them, for the Electoral District of St. George in connection with the election held therein on the 7th day of June, 1948; and that all documents, including used and unused ballot papers, relating to the said election in the custody of the Clerk of the Crown in Chancery or of any other person be referred to the said Committee for such purpose.

Mr. Grummet, rising to a point of order, claimed that the notice of motion (No. 1—Notices of Motions) should be considered first on the grounds that Monday being a Private Members' day, a private member's motion should have precedence.

Mr. Speaker ruled that the Leader of the Government had the right to designate the order in which items on the Order Paper should be considered.

On Mr. Grummett appealing against Mr. Speaker's ruling, the ruling was sustained on the following division:—

## YEAS

Allen	Griesinger	Newman
Baxter	Hall	Nixon
Blackwell	Hamilton	Oliver
Brown	Hanna	Parry
Calder	Harvey	Patrick
Cathcart	(Nipissing)	Phillips
Cecile	Houck	Porter
Challies	Janes	Pringle
Chartrand	Johnston	Pryde
Daley	(Parry Sound)	Rea
Dempsey	Johnston	Reynolds
Doucett	(Simcoe Centre)	Robson
Downer	Kennedy	Sandercock
Dunbar	Mackenzie	Scott
Edwards	Martin	(Peterborough)
Foote	Morrow	Stewart
Foster	Murdoch	Thomas
Frost	McDonald	(Elgin)
Fullerton	McEwing	Walker
Gemmell	McMillan	Welsh
Goodfellow	McPhee	White—60
Gordon	Nault	

## NAYS

Dennison	Jolliffe	Taylor
Dowling	Leavens	Temple
Easton	MacLeod	Thomas
Ellis	Macphail	(Ontario)
Fell	Park	Thornberry
Grummett	Robinson	Walters
Harvey	Salsberg	Wisner—22
(Sault Ste. Marie)	Scott	
Isley	(Beaches)	

Mr. Grummet, seconded by Mr. Jolliffe, then moved an amendment to Mr. Kennedy's motion as follows:—

That the Resolution now before the House be amended by adding after the word "Act" in the 5th line, the following words: "or any other alleged irregularities" and by adding at the end of the Resolution the following words, "and that the Committee have power to send for persons and examine them under oath," so that the Resolution as amended shall read as follows:

That so soon as may be this House do refer to the Select Committee on Privileges and Elections for full examination and inquiry, the matter of alleged discrepancies or irregularities in the returns made under The Election Act, or any other alleged irregularities by the returning officer, deputy returning officers, poll clerks or others, or any of them, for the Electoral District of St. George in connection with the election held therein on the 7th day of June, 1948; and that all documents, including used and unused ballot papers, relating to the said election in the custody of the Clerk of the Crown in Chancery or of any other person be referred to the said Committee for such purpose, and that the Committee have power to send for persons and examine them under oath.

And a debate arising, the amendment having been put was lost on the following Division:—

## YEAS

Baxter	Harvey	Robinson
Brown	(Sault Ste. Marie)	Salsberg
Calder	Houck	Scott
Chartrand	Isley	(Beaches)
Dennison	Jolliffe	Taylor
Dowling	Leavens	Temple
Easton	MacLeod	Thomas
Ellis	Macphail	(Ontario)
Fell	McEwing	Thornberry
Foster	Newman	Walters
Grummett	Nixon	Wisner—32
	Oliver	
	Park	

## NAYS

Allen	Downer	Griesinger
Blackwell	Dunbar	Hall
Cathcart	Edwards	Hamilton
Cecile	Foote	Hanna
Challies	Frost	Harvey
Daley	Fullerton	(Nipissing)
Dempsey	Gemmell	
Dent	Goodfellow	Hunt
Doucett	Gordon	Janes

## NAYS—Continued

Johnston (Parry Sound)	McMillan	Robson
Johnston (Simcoe Centre)	McPhee	Sandercock
Kelley	Nault	Scott (Peterborough)
Kennedy	Parry	Stewart
Mackenzie	Patrick	Thomas (Elgin)
Martin	Phillips	Walker
Morrow	Porter	Welsh
Murdoch	Pringle	White—53
McDonald	Pryde	
	Rea	
	Reynolds	

The motion then having been put was declared to be carried.

The House then adjourned at 4.40 p.m.

## TUESDAY, FEBRUARY 15TH, 1949

PRAYERS.

3 O'CLOCK P.M.

The following Petition was read and received:—

Of the Corporation of the Township of Sandwich West, praying that an Act may pass authorizing the Corporation to undertake by By-law the cleaning out of ditches and drains, to enter upon lands for such purpose and to levy the cost thereof by a special rate; also amending Section 2 of the Township of Sandwich West Act, 1939 by increasing the amount of \$1.50 authorized therein to be levied for taxes to \$2.50.

The following Bills were severally introduced and read the first time:—

Bill (No. 71), intituled, "An Act to amend The Land Transfer Tax Act." *Mr. Frost.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 72), intituled, "The Official Notices Publication Act, 1949." *Mr. Porter.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 73), intituled, "An Act to amend The Public Hospitals Act." *Mr. Kelley.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 74), intituled, "An Act to amend The Ontario Northland Transportation Commission Act." *Mr. Porter.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 75), intituled, "An Act to amend The Water Powers Regulation Act." *Mr. Scott (Peterborough).*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 76), intituled, "An Act to amend The Cullers Act." *Mr. Scott (Peterborough).*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 77), intituled, "An Act to amend The Planning Act, 1946." *Mr. Welsh.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 78), intituled, "An Act to amend The Lakes and Rivers Improvement Act." *Mr. Scott (Peterborough).*

*Ordered,* That the Bill be read the second time to-morrow.

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The Order of the Day for resuming the Adjourned Debate on the Motion for consideration of the Speech of the Honourable the Lieutenant-Governor at the opening of the Session, having been read,

The Debate was resumed and, after some time,

Mr. Jolliffe moved, seconded by Mr. Grummett,

That the Motion for consideration of the Speech of the Honourable the Lieutenant-Governor now before the House be amended by adding thereto the following words:—

"But this House regrets the failure of the Government to meet the needs of the people of Ontario with respect to housing, hydro, health, welfare, education, agriculture and labour."

And the debate having continued, after some time it was, on motion by Mr. Oliver,

*Ordered,* That the debate be adjourned until to-morrow.

The Provincial Secretary presented to the House, by command of the Honourable the Lieutenant-Governor:—

Report of the Minister of Lands and Forests of the Province of Ontario for the fiscal year ending March 31st, 1948. (*Sessional Papers No. 3.*)

Also, Copy of Order-in-Council No. 174/49 under The Northern Development Act. (*Sessional Papers No. 41.*)

Also, Report of the Commissioner of Agricultural Loans for the fiscal year ending 31st March, 1948. (*Sessional Papers No. 9.*)

Also, Twenty-Ninth Report of the Department of Labour of the Province of Ontario for the fiscal year ending March 31st, 1948. (*Sessional Papers No. 10.*)

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The House then adjourned at 5.20 p.m.

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### WEDNESDAY, FEBRUARY 16TH, 1949

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PRAYERS.

3 O'CLOCK P.M.

The following Petition was brought up and laid upon the Table:—

By Mr. Sandercock, the Petition of the Corporation of the Village of Bobcaygeon.

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Mr. Stewart, from the Select Committee appointed to prepare the lists of Members to compose the Select Standing Committees of the House, presented the Committee's report which was read as follows:—

Your Committee recommends that the Standing Committees ordered by the House be composed as follows:—

#### COMMITTEE ON PRIVILEGES AND ELECTIONS

*Messrs. Calder, Cathcart, Dennison, Doucett, Edwards, Frost, Grummett, Jolliffe, Murdoch, Nixon, Oliver, Patrick, Pryde, Robson, Stewart, Thomas (Elgin), Wismer—17.*

The Quorum of the said Committee to consist of seven members.

#### COMMITTEE ON EDUCATION

*Messrs. Baxter, Calder, Cecile, Chartrand, Dowling, Foster, Fullerton, Hamilton, Harvey (Nipissing), Harvey (Sault Ste. Marie), Johnston (Simcoe Centre), Mackenzie, MacLeod, Macphail, Martin, Millard, Morrow, Murdoch, McDonald, Nault, Nixon, Patrick, Porter, Pringle, Reynolds, Robson, Scott (Beaches), Stewart, Temple, Thomas (Ontario), Villeneuve, Walters, White—33.*

The Quorum of the said Committee to consist of nine members.

## COMMITTEE ON PRIVATE BILLS

*Messrs. Allen, Brown, Calder, Cathcart, Cecile, Chartrand, Cox, Dennison, Dunbar, Easton, Edwards, Ellis, Gemmell, Grummett, Hall, Hamilton, Hanna, Harvey (Nipissing), Houck, Isley, Janes, Johnston (Parry Sound), Johnston (Simcoe Centre), Mackenzie, Macphail, Martin, Millard, Morrow, Murdoch, McDonald, McEwing, McPhee, Nault, Newman, Oliver, Park, Patrick, Pryde, Rea, Reynolds, Robinson, Sandercock, Scott (Peterborough), Stewart, Thomas (Ontario), Thornberry, Villeneuve, Welsh, White, Wismer—50.*

The Quorum of the said Committee to consist of nine members.

## COMMITTEE ON STANDING ORDERS

*Messrs. Allen, Blackwell, Brown, Cathcart, Chartrand, Edwards, Fell, Foster, Fullerton, Goodfellow, Griesinger, Hall, Hamilton, Isley, Johnston (Simcoe Centre), Leavens, Murdoch, McEwing, McPhee, Park, Parry, Phillips, Pringle, Rea, Reynolds, Robson, Scott (Beaches), Stewart, Thornberry, Walker, Walters—31.*

The Quorum of the said Committee to consist of seven members.

## COMMITTEE ON PUBLIC ACCOUNTS

*Messrs. Allen, Baxter, Brown, Calder, Cathcart, Chartrand, Dennison, Dent, Doucett, Downer, Edwards, Ellis, Fell, Frost, Gemmell, Goodfellow, Gordon, Hall, Hamilton, Hanna, Harvey (Sault Ste. Marie), Houck, Hunt, Janes, Johnston (Simcoe Centre), Jolliffe, Kelley, Leavens, Mackenzie, MacLeod, Martin, Millard, Morrow, Murdoch, McEwing, McPhee, Nixon, Oliver, Park, Parry, Patrick, Phillips, Pringle, Pryde, Reynolds, Robinson, Robson, Sandercock, Stewart, Temple, Thomas (Elgin), Thomas (Ontario), Thornberry, Villeneuve, Wismer—55.*

The Quorum of the said Committee to consist of seven members.

## COMMITTEE ON PRINTING

*Messrs. Baxter, Calder, Cathcart, Challies, Dent, Gordon, Griesinger, Hanna, Harvey (Sault Ste. Marie), Hunt, Mackenzie, Macphail, Martin, Morrow, Murdoch, McMillan, Pringle, Pryde, Salsberg, Scott (Beaches), Taylor, Thomas (Ontario), White—23.*

The Quorum of the said Committee to consist of seven members.

## COMMITTEE ON MUNICIPAL LAW

*Messrs. Allen, Baxter, Brown, Cathcart, Challies, Dennison, Doucett, Dunbar, Easton, Edwards, Ellis, Fell, Foster, Fullerton, Gemmell, Gordon, Grummett, Hall, Hamilton, Hanna, Harvey (Nipissing), Houck, Janes, Johnston (Simcoe Centre), Jolliffe, Mackenzie, Martin, Murdoch, McEwing, McMillan, McPhee, Nault, Parry, Patrick, Pryde, Reynolds, Robinson, Salsberg, Scott (Beaches), Stewart, Thomas (Elgin), Thomas (Ontario), Thornberry, Villeneuve, Walker, Welsh, White—47.*

The Quorum of the said Committee to consist of nine members.

## COMMITTEE ON LEGAL BILLS

*Messrs. Blackwell, Calder, Chartrand, Fell, Foote, Gemmell, Grummett, Hamilton, Janes, Jolliffe, Murdoch, McDonald, Nixon, Parry, Patrick, Porter, Rea, Reynolds, Scott (Beaches), Stewart, Walters—21.*

The Quorum of the said Committee to consist of seven members.

## COMMITTEE ON AGRICULTURE AND COLONIZATION

*Messrs. Allen, Dennison, Downer, Easton, Edwards, Foster, Gemmell, Goodfellow, Gordon, Grummett, Hall, Hanna, Harvey (Nipissing), Hunt, Isley, Janes, Jolliffe, Kennedy, Mackenzie, Macphail, Martin, Millard, Morrow, McDonald, McEwing, McMillan, McPhee, Newman, Nixon, Oliver, Parry, Patrick, Phillips, Pringle, Pryde, Reynolds, Robson, Stewart, Taylor, Temple, Thomas (Elgin), Thornberry, Villeneuve—43.*

The Quorum of the said Committee to consist of nine members.

## COMMITTEE ON FISH AND GAME

*Messrs. Allen, Baxter, Cathcart, Cox, Dempsey, Dennison, Dent, Dowling, Downer, Easton, Ellis, Foster, Fullerton, Gemmell, Grummett, Hall, Hanna, Harvey (Nipissing), Harvey (Sault Ste. Marie), Houck, Isley, Janes, Johnston (Parry Sound), Johnston (Simcoe Centre), Kelley, Leavens, Martin, Morrow, Murdoch, McDonald, McMillan, Nault, Newman, Nixon, Phillips, Pringle, Pryde, Rea, Reynolds, Robinson, Salsberg, Sandercock, Scott (Peterborough), Stewart, Taylor, Villeneuve, Walker, White, Wismer—49.*

The Quorum of the said Committee to consist of nine members.

## COMMITTEE ON LABOUR

*Messrs. Brown, Cathcart, Cox, Daley, Dempsey, Dowling, Downer, Ellis, Fell, Fullerton, Gemmell, Johnston (Parry Sound), Kelley, Millard, Murdoch, McPhee, Nault, Newman, Nixon, Park, Parry, Phillips, Pryde, Rea, Reynolds, Robinson, Salsberg, Walker, Walters, White—30.*

The Quorum of the said Committee to consist of nine members.

## COMMITTEE ON MINING

*Messrs. Brown, Calder, Cox, Daley, Dempsey, Dowling, Foote, Frost, Fullerton, Gemmell, Grummett, Hamilton, Hanna, Harvey (Nipissing), Harvey (Sault Ste. Marie), Houck, Hunt, Johnston (Parry Sound), Jolliffe, MacLeod, Morrow, Murdoch, Nault, Newman, Rea, Taylor, Temple, Thomas (Elgin), White, Wismer—30.*

The Quorum of the said Committee to consist of nine members.

Mr. Stewart moved the adoption of the Report.



Mr. Taylor moved, in amendment, seconded by Mr. Thornberry,

That the motion for adoption of the report of the Committee be amended by the addition of the following words:—

Except that paragraph of the Report having reference to the Committee on Privileges and Elections, and that said paragraph be sent back to the striking committee with instructions to restore the number of members of the Committee on Privileges and Elections to thirty-five.

A debate arose, and after some time, the amendment having been put, was lost on the following Division:—

## YEAS

Baxter	Harvey	Oliver
Brown	(Sault Ste. Marie)	Park
Calder	Houck	Robinson
Chartrand	Isley	Salsberg
Cox	Jolliffe	Scott
Dennison	Leavens	(Beaches)
Dowling	MacLeod	Taylor
Easton	Macphail	Temple
Ellis	Millard	Thomas
Fell	McEwing	(Ontario)
Foster	McMillan	Thornberry
Gordon	Newman	Walker
Grummett	Nixon	Walters
		Wisner—37

## NAYS

Allen	Hamilton	Parry
Blackwell	Hanna	Patrick
Cathcart	Harvey	Phillips
Cecile	(Nipissing)	Porter
Challies	Hunt	Pringle
Daley	Janes	Pryde
Dempsey	Johnston	Rea
Dent	(Parry Sound)	Reynolds
Doucett	Johnston	Robson
Downer	(Simcoe Centre)	Sandercock
Dunbar	Kelley	Scott
Edwards	Kennedy	(Peterborough)
Foote	Mackenzie	Stewart
Frost	Martin	Thomas
Gemmell	Morrow	(Elgin)
Goodfellow	Murdoch	Villeneuve
Griesinger	McDonald	Welsh
Hall	McPhee	White—50
	Nault	

The Motion then having been put was declared to be carried.

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On motion by Mr. Kennedy, seconded by Mr. Frost,

*Ordered*, That Mr. Patrick, Member for the Electoral District of Middlesex North be appointed Chairman of the Committee of the Whole House for the present Session.

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The following Bill was introduced and read the first time:—

Bill (No. 79), intituled, "An Act to amend The Municipal Reforestation Act." *Mr. Dennison*.

*Ordered*, That the Bill be read the second time to-morrow.

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The Order of the Day for resuming the Adjourned Debate on the Amendment to the Motion for consideration of the Speech of the Honourable the Lieutenant-Governor at the opening of the Session, having been read,

The Debate was resumed and, after some time,

Mr. Oliver moved, seconded by Mr. Nixon,

That the amendment to the motion for consideration of the speech of the Hon. Lieutenant-Governor now before the House be further amended by adding thereto the following words:—

And this House further regrets:

1. That the Government has seen fit to withdraw the subsidy on hogs without consulting the Legislative Assembly.
2. That the Speech from the Throne gave no indication that the Royal Commission Report on Education would be presented at this Session.
3. That no broad policy is indicated in the Speech in implementation of the Kennedy Report and to make adequate provision for conservation throughout the province.

And the Debate having continued, after some time it was, on motion by Mr. White,

*Ordered*, That the Debate be adjourned until to-morrow.

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The House then adjourned at 6.15 p.m.

THURSDAY, FEBRUARY 17TH, 1949

PRAYERS.

3 O'CLOCK P.M.

The following Petition was read and received:—

Of the Corporation of the Village of Bobcaygeon, praying that an Act may pass providing for the annexation of certain parts of the Townships of Verulam and Harvey to the said Village as approved by Order No. P.F. B-8070 of the Ontario Municipal Board.

On motion by Mr. Kennedy, seconded by Mr. Frost,

*Ordered*, That when this House adjourns the present sitting thereof it do stand adjourned until one-thirty of the clock to-morrow, Friday, afternoon.

The following Bills were severally introduced and read the first time:—

Bill (No. 80), intituled, "An Act to amend The Marriage Act." *Mr. Temple.*

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 81), intituled, "An Act to amend The Venereal Diseases Prevention Act, 1942." *Mr. Temple.*

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 82), intituled, "An Act to amend The Workmen's Compensation Act." *Mr. Dowling.*

*Ordered*, That the Bill be read the second time to-morrow.

The Order of the Day for resuming the Adjourned Debate on the amendment to the amendment to the motion for the consideration of the Speech of the Honourable the Lieutenant-Governor at the opening of the Session, having been read,

The Debate was resumed and, after some time, it was, on motion by Mr. Cox.

*Ordered*, That the Debate be further adjourned.

The House then adjourned at 6.00 p.m.

FRIDAY, FEBRUARY 18TH, 1949

PRAYERS.

1.30 O'CLOCK P.M.

The following Bills were severally introduced and read the first time:—

Bill (No. 83), intituled, "An Act to amend The Hours of Work and Vacations with Pay Act, 1944." *Mr. Brown.*

*Ordered*, That the Bill be read the second time on Monday next.

Bill (No. 84), intituled, "An Act to amend The Workmen's Compensation Act." *Mr. Walker.*

*Ordered*, That the Bill be read the second time on Monday next.

The House resolved itself into a Committee to consider certain Resolutions.

Mr. Kennedy acquainted the House that the Honourable the Lieutenant-Governor, having been informed of the subject matter of the several Resolutions, recommends it to the consideration of the House.

After some time, Mr. Speaker resumed the Chair, and Mr. Patrick reported, that the Committee had come to a certain Resolutions as follows:

*Resolved*,

That the Minister may grant aid to assist in the establishment of community halls, athletic fields and skating areas by municipalities and school boards as provided in sections 2 and 8 of Bill (No. 37), *The Community Centres Act, 1949.*

*Resolved*,

That the amount of any fee payable to a duly qualified medical practitioner for a *post mortem* examination or for an analysis of the content of the stomach and intestines, or for any other examination or analysis under *The Coroners Act, 1948*, may be increased by 15 cents for every mile necessarily travelled in connection with any such examination or analysis in accordance with the provisions of Bill (No. 48), *An Act to amend The Coroners Act, 1948*, such fees being payable in whole or in part out of such moneys as may be appropriated therefor by the Legislature pursuant to sections 39 and 40 of *The Coroners Act, 1948.*

*Resolved*,

That under *The Crown Witnesses Act* the judge may grant to any person who attends at the instance of the Crown to give evidence at the preliminary

inquiry or trial of any person charged with an indictable offence, an order for the payment of such sums as he deems proper but not more than is provided in the Schedule to *The Crown Witnesses Act*, set out in section 2 of Bill (No. 52), An Act to amend *The Crown Witnesses Act*, provided that the sum so ordered to be paid may be increased upon the fiat of the Attorney-General in order that the witness may be reasonably compensated for his attendance, one-third of such sums being payable out of the Consolidated Revenue Fund pursuant to section 8 of *The Crown Witnesses Act*.

*Resolved,*

That every local registrar of the Supreme Court, deputy registrar, county or district court clerk and registrar of the surrogate court, whether holding one or more of the above offices, and every sheriff paid by fees or other emoluments and not by salary, to whom *The Public Officers' Fees Act* applies shall be entitled to retain to his own use in each year his net income as defined in the said Act up to \$4,000, as provided in subsection 1 of section 1 of Bill (No. 56), An Act to amend *The Public Officers' Fees Act*.

*Resolved,*

That in accordance with section 5 of Bill (No. 59), *An Act respecting the Control of Warble-fly*, the Lieutenant-Governor in Council may make regulations providing for the making of grants by the Minister of Agriculture out of such moneys as may be appropriated for the purpose so as to reimburse any municipality to such extent as is designated for any expense it has been put to under any by-law passed pursuant to said Bill (No. 59), *An Act respecting the Control of Warble-fly*.

*Ordered,* That the Report be now received and adopted.

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The following Bills were severally read the second time:—

Bill (No. 37), The Community Centres Act, 1949.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 38), An Act to amend The Training Schools Act.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 39), An Act to amend The Industrial Standards Act.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 47), An Act to amend The Arbitration Act.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 48), An Act to amend The Coroners Act, 1948.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 49), An Act to amend The County Courts Act.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 50), The Crown Attorneys Act, 1949.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 51), An Act to amend The Deserted Wives' and Children's Maintenance Act.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 52), An Act to amend The Crown Witnesses Act.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 53), An Act to amend The Division Courts Act.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 54), An Act to amend The Judicature Act.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 55), An Act to amend The Limitations Act.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 56), An Act to amend The Public Officers' Fees Act.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 57), An Act to Provide for the Consolidation of the Statutes.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 58), An Act to amend The Summary Convictions Act.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 59), The Warble-fly Control Act, 1949.

Referred to the Committee on Agriculture.

Bill (No. 61), An Act to amend The Farm Products Marketing Act, 1946.

Referred to the Committee on Agriculture.

Bill (No. 62), The Farm Products Containers Act, 1949.

Referred to the Committee on Agriculture.

Bill (No. 63), An Act to amend The Ontario Food Terminal Act, 1946.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 71), An Act to amend The Land Transfer Tax Act.

Referred to a Committee of the Whole House on Monday next.

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The House then adjourned at 3.25 p.m.

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MONDAY, FEBRUARY 21ST, 1949

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PRAYERS

3 O'CLOCK P.M.

The following Bill was introduced and read the first time:—

Bill (No. 85), intituled, "An Act to amend The Legislative Assembly Act."  
*Mr. Blackwell.*

*Ordered,* That the Bill be read the second time to-morrow.

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The House resolved itself into a Committee to consider certain Bills, and, after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Patrick reported,

That the Committee had directed him to report the following Bills without amendment:—

Bill (No. 38), An Act to amend The Training Schools Act.

Bill (No. 39), An Act to amend The Industrial Standards Act.

Bill (No. 47), An Act to amend The Arbitration Act.

Bill (No. 48), An Act to amend The Coroners Act, 1948.

Bill (No. 49), An Act to amend The County Courts Act.

Bill (No. 50), The Crown Attorneys Act, 1949.

Bill (No. 52), An Act to amend The Crown Witnesses Act.

Bill (No. 55), An Act to amend The Limitations Act.

Bill (No. 56), An Act to amend The Public Officers' Fees Act.

Bill (No. 58), An Act to amend The Summary Convictions Act.

Bill (No. 63), An Act to amend The Ontario Food Terminal Act, 1946.

Bill (No. 71), An Act to amend The Land Transfer Tax Act.

and to report the following Bills with certain amendments:—

Bill (No. 37), The Community Centres Act, 1949.

Bill (No. 53), An Act to amend The Division Courts Act.

Bill (No. 57), An Act to Provide for the Consolidation of the Statutes.

*Ordered*, That the Bills reported be severally read the third time to-morrow.

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The following Bills were severally read the second time:—

Bill (No. 60), An Act to amend The Credit Unions Act, 1940.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 72), The Official Notices Publication Act, 1949.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 73), An Act to amend The Public Hospitals Act.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 74), An Act to amend The Ontario Northland Transportation Commission Act.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 75), An Act to amend The Water Powers Regulation Act.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 76), An Act to amend The Cullers Act.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 77), An Act to amend The Planning Act, 1946.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 78), An Act to amend The Lakes and Rivers Improvement Act.

Referred to a Committee of the Whole House to-morrow.



The Provincial Secretary presented to the House, by command of the Honourable the Lieutenant-Governor:—

Report of the Board of Governors of the University of Toronto for the year ending June 30th, 1948. (*Sessional Papers No. 12.*)

Also, Report of the Secretary and Registrar of the Province of Ontario with respect to the administration of The Extra Provincial Corporations Act for the calendar year ending December 31st, 1948. (*Sessional Papers No. 42.*)

Also, Report of the Secretary and Registrar of the Province of Ontario with respect to the administration of The Companies Act, and The Mortmain and Charitable Uses Act for the fiscal year ending March 31st, 1948. (*Sessional Papers No. 33.*)

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The House then adjourned at 4.55 p.m.

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TUESDAY, FEBRUARY 22ND, 1949

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PRAYERS.

3 O'CLOCK P.M.

The following Petition was brought up and laid upon the Table:—

By Mr. Rea, the Petition of the Corporation of Canada Comforter Company Limited.

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The following Bills were severally introduced and read the first time:—

Bill (No. 86), intituled, "An Act to amend The Mining Act." *Mr. Frost.*

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 87), intituled, "An Act to amend The Agricultural Development Finance Act." *Mr. Frost.*

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 88), intituled, "An Act to amend The Agricultural Development Act." *Mr. Frost.*

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 89), intituled, "The Niagara Parks Act, 1949." *Mr. Daley.*

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 90), intituled, "An Act to amend The Hospitals Aid Act, 1948." *Mr. Kelley.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 91), intituled, "An Act to amend The Sanatoria for Consumptives Act, 1947." *Mr. Kelley.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 92), intituled, "An Act to amend The Private Sanitaria Act." *Mr. Kelley.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 93), intituled, "An Act to amend The Psychiatric Hospitals Act." *Mr. Kelley.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 94), intituled, "The Mills Licensing Act, 1949." *Mr. Scott* (Peterborough).

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 95), intituled, "The Territorial Division Act, 1949." *Mr. Blackwell.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 96), intituled, "An Act to amend The Juvenile and Family Courts Act." *Mr. Blackwell.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 97), intituled, "An Act respecting Certain Contracts that have become Impossible of Performance or have been Otherwise Frustrated." *Mr. Blackwell.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 98), intituled, "An Act to amend The Professional Engineers Act." *Mr. Blackwell.*

*Ordered,* That the Bill be read the second time to-morrow.

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The Order of the Day for resuming the Adjourned Debate on the amendment to the amendment to the motion for the consideration of the Speech of the Honourable the Lieutenant-Governor at the opening of the Session, having been read,

The Debate was resumed and, after some time, it was, on motion by Mr. Houck,

*Ordered,* That the Debate be further adjourned until to-morrow.

The Minister of Education presented to the House copies of correspondence between him and the Honourable Mr. Justice Hope, Chairman of the Royal Commission on Education regarding the Report of the Royal Commission on Education. (*Sessional Papers No. 43.*)

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The House then adjourned at 6.00 p.m.

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WEDNESDAY, FEBRUARY 23RD, 1949

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PRAYERS.

3 O'CLOCK P.M.

The following Petition was brought up and laid upon the Table:—

By Mr. Martin, the Petition of the Corporation of the City of St. Catharines.

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The following Petition was read and received:—

Of the Corporation of Canada Comforter Company Limited, praying that an Act may pass reviving the Company and restoring the Charter as of the 2nd day of December, 1948, and relieving from forfeiture to the Crown any real or personal property of the Company not disposed of on the 2nd day of December, 1948.

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Mr. Robson, from the Standing Committee on Agriculture and Colonization presented its First Report which was read as follows and adopted:—

Your Committee begs to report the following Bills without amendment:—

Bill (No. 59), The Warble-fly Control Act, 1949.

Bill (No. 61), An Act to amend The Farm Products Marketing Act, 1946.

Bill (No. 62), The Farm Products Containers Act, 1949.

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Before the Orders of the Day, Mr. Frost informed the House that the services of His Honour Judge A. J. Gordon had been secured to conduct the recount of the ballots cast in the Electoral District of St. George at the General Election, June 7th, 1948, which recount was requested at the first meeting of the Committee on Privileges and Elections held on Tuesday, February 22nd, 1949.

The Order of the Day for resuming the Adjourned Debate on the amendment to the amendment to the motion for the consideration of the Speech of the Honourable the Lieutenant-Governor at the opening of the Session, having been read,

The Debate was resumed and, after some time, it was, on motion by Mr. Brown.

*Ordered*, That the Debate be further adjourned until to-morrow.

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The House then adjourned at 6.00 p.m.

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## THURSDAY, FEBRUARY 24TH, 1949

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PRAYERS.

3 O'CLOCK P.M.

The following Petition was read and received:—

Of the Corporation of the City of St. Catharines, praying that an Act may pass confirming certain by-laws of the said Corporation guaranteeing debentures of the St. Catharines General Hospital; granting aid to The Religious Hospitallers of St. Joseph of Hotel Dieu and for other purposes.

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Mr. Parry, from the Standing Committee on Standing Orders, presented its First Report which was read as follows and adopted.

Your Committee has carefully examined the following Petitions and finds the Notices as published in each case sufficient:—

Of the Corporation of the Federation for Community Service of Toronto, praying that an Act may pass for the purpose of vesting in the Community Chest of Greater Toronto, any and all donations, legacies, bequests, monies, securities or properties of any kind to which the Corporation upon and after the surrender and cancellation of its charter would be or become entitled were it still in existence.

Of the Corporation of the Mount McKay and Kakabeka Falls Railway Company, praying that an Act may pass accepting the surrender of the Company's charter and the powers conferred upon it by its Act of Incorporation being Chapter 82 of the Statutes of Ontario, 1904, and Acts in amendment thereof and to authorize the distribution of the Company's assets rateably amongst its shareholders.

Of the Incorporated Synod of the Diocese of Toronto, praying that an Act may pass permitting the Corporation to invest up to thirty per centum of the

book value of its assets in any investments or securities that are now or may hereafter be authorized investments for joint stock companies and cash-mutual insurance corporations under the provisions of The Companies Act.

Of Harold B. Cadman, Robert D. Euler, Robert W. Francis, et al., praying that an Act may pass incorporating The Institute of Accredited Public Accountants of Ontario.

Of the Corporation of the Trustees of Wycliffe College, praying that an Act may pass authorizing the Trustees to invest all such funds as are now in or may hereafter come into their hands, in any investments or securities that are now or may hereafter be authorized for investment by Trustees under The Trustee Act and in any investments or securities that are now or may hereafter be authorized for joint stock insurance companies or cash-mutual insurance corporations under the provisions of The Companies Act and to alter and vary such investments from time to time by substituting others of a like nature.

Of the Corporation of the City of Belleville, praying that an Act may pass increasing the membership of the Public Utilities Commission of the said Corporation and to ratify a by-law to increase the term of office of Aldermen of the said Corporation.

Of the Corporation of the Synod of the Diocese of Ontario, praying that an Act may pass to extend the powers of the Corporation of investment for its general funds to include such securities as are now or shall hereafter be authorized investments for joint stock insurance companies and cash-mutual insurance corporations under the provisions of The Companies Act.

Of Angus Bernard MacDonald, Albert Cornelius Savage, Louis Joseph Billy, et al., praying that an Act may pass incorporating the Ontario Co-operative Credit Society.

Of the Corporation of the Improvement District of Wasaga Beach, praying that an Act may pass incorporating the said District as a Village.

Of the Corporation of the City of Chatham, praying that an Act may pass amending The City of Chatham Act, 1921, as amended by The City of Chatham Act, 1924, to enable the Council of the said Corporation, by by-law, passed not later in any year than the 1st day of November, to fix different places and times for nomination of candidates for Mayor, for Council and for any local Board or Commission, any members of which are to be elected by ballot; and the day for the polling in accordance with and subject to the provisions of The Municipal Act.

Of the Corporation of Cottam Farmers, Limited, praying that an Act may pass making the said Corporation, from January 1st, 1950, subject to Part XII of The Companies Act excepting clause (i) of subsection (6) of Section (4) thereof and substituting therefore (i) Payment of interest on the paid-up capital at such rate as may be determined annually by by-law.

Of the Corporation of the Cornwall Street Railway, Light and Power Company, praying that an Act may pass validating a franchise agreement entered

into by the said Corporation with the Corporations of the City of Cornwall and the Township of Cornwall and validating by-laws of the said City and Township granting the franchise.

Of the Corporation of the Township of Scarborough, praying that an Act may pass to declare that no part of the Township shall for a period of five years be annexed to any adjoining Municipality without the assent of the Municipal electors of the said Township, and to provide that paragraphs 1, 46 and 50 of section 407 and paragraphs 3 and 7 of section 414 of The Municipal Act, Chapter 266, R.S.O. 1937, shall apply to the said Township.

Of the Corporation of the County of Frontenac, praying that an Act may pass to establish the said County, except those parts which respectively consist of the City of Kingston and the Township of Wolfe Island as a High School District to be known as Frontenac High School District, and to establish a High School Board for the said District under the name of the Frontenac High School Board and to discontinue the Sydenham High School District.

Of the Corporation of the Hospital for Sick Children, praying that an Act may pass providing that no person who is a governor, trustee, director, member of the board of management, officer, employee or servant of any other hospital or infirmary shall be eligible to be appointed a trustee or officer of the said Corporation, and for other purposes.

Of the Corporation of McMaster University, praying that an Act may pass amending the Act of Incorporation of the said University as amended from time to time, to increase the membership of the Board of Governors and for other purposes.

Of the Corporation of l'Institut Jeanne d'Arc, praying that an Act may pass exempting all property real and personal vested in, owned or occupied by the said Corporation from all assessments, levies, rates and taxes for Municipal or school purposes.

Of the Corporation of Canada Comforter Company Limited, praying that an Act may pass reviving the Company and restoring its charter as of the 2nd day of December, 1948, and relieving from forfeiture to the Crown any real or personal property of the Company not disposed of on the 2nd day of December, 1948.

Of the Corporation of the Township of Etobicoke, praying that an Act may pass consolidating the present existing school sections in the said Township into a Township School Area and enlarging the present High School Area to include the entire Township and establishing a Board of Education.

Of the Corporation of the City of Peterborough, praying that an Act may pass to amend The Peterborough Civic Hospital Act, 1945, to enable the Corporation to provide additional funds for the completion of the said hospital and such further funds as may be required in future for its enlargement, and for other purposes.

Your Committee would recommend that Rule No. 63 be suspended in this that the time for introducing Private Bills be extended until and inclusive of Thursday, the 10th day of March next.

*Ordered*, That the time for introducing Private Bills be extended until and inclusive of Thursday, the 10th day of March, next.

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On motion by Mr. Kennedy, seconded by Mr. Frost,

*Ordered*, That, commencing to-morrow, Friday, and on each Friday during the present Session of the Assembly, this House will meet at one-thirty of the clock in the afternoon and that Rule No. 2 of the Assembly be suspended so far as it might apply to this motion.

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The following Bills were severally introduced and read the first time:—

Bill (No. 1), intituled, "An Act respecting The Federation for Community Service of Toronto." *Mr. Rea*.

Referred to the Committee on Private Bills.

Bill (No. 2), intituled, "An Act respecting The Mount McKay and Kaka-beka Falls Railway Company." *Mr. Cox*.

Referred to the Committee on Private Bills.

Bill (No. 3), intituled, "An Act respecting The Incorporated Synod of the Diocese of Toronto." *Mr. Rea*.

Referred to the Committee on Private Bills.

Bill (No. 4), intituled, "An Act respecting Cottam Farmers Limited." *Mr. Murdoch*.

Referred to the Committee on Private Bills.

Bill (No. 5), intituled, "An Act to incorporate The Institute of Accredited Public Accountants of Ontario." *Mr. Murdoch*.

Referred to the Committee on Private Bills.

Bill (No. 6), intituled, "An Act respecting the Township of Scarborough." *Miss Macphail*.

Referred to the Committee on Private Bills.

Bill (No. 7), intituled, "An Act respecting Wycliffe College." *Mr. Rea*.

Referred to the Committee on Private Bills.

Bill (No. 8), intituled, "An Act to establish The Frontenac High School District." *Mr. Pringle*.

Referred to the Committee on Private Bills.

Bill (No. 9), intituled, "An Act respecting l'Institute Jeanne d'Arc." *Mr. Nault.*

Referred to the Committee on Private Bills.

Bill (No. 12), intituled, "An Act respecting the City of Chatham." *Mr. Parry.*

Referred to the Committee on Private Bills.

Bill (No. 13), intituled, "An Act respecting The Hospital for Sick Children." *Mr. Rea.*

Referred to the Committee on Private Bills.

Bill (No. 14), intituled, "An Act respecting the City of Belleville." *Mr. Sandercock*

Referred to the Committee on Private Bills.

Bill (No. 15), intituled, "An Act respecting the Incorporated Synod of the Diocese of Ontario." *Mr. Stewart.*

Referred to the Committee on Private Bills.

Bill (No. 16), intituled, "An Act respecting the City of Peterborough." *Mr. Stewart.*

Referred to the Committee on Private Bills.

Bill (No. 18), intituled, "An Act respecting the Cornwall Street Railway Light and Power Company." *Mr. McDonald.*

Referred to the Committee on Private Bills.

Bill (No. 19), intituled, "An Act to incorporate the Village of Wasaga Beach." *Mr. Johnston* (Simcoe Centre)

Referred to the Committee on Private Bills.

Bill (No. 20), intituled, "An Act respecting McMaster University." *Mr. Hamilton.*

Referred to the Committee on Private Bills.

Bill (No. 26), intituled, "An Act to incorporate the Ontario Co-operative Credit Society." *Mr. Cathcart.*

Referred to the Committee on Private Bills.

Bill (No. 99), intituled, "An Act to amend The Matrimonial Causes Act." *Mr. Blackwell.*

*Ordered,* That the Bill be read the second time to-morrow.



Bill (No. 100), intituled, "An Act to amend The Power Commission Act."  
*Mr. Houck.*

*Ordered,* That the Bill be read the second time to-morrow.

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Before the Orders of the Day, Mr. Salsberg requested permission to include in the Stenographic Report of the Debate on the Throne Address of Wednesday, February 23rd, 1949, certain correspondence regarding the treatment of Old Age Pensioners. Mr. Kennedy and Mr. Frost suggested that the correspondence be tabled. With the consent of the House, the correspondence was tabled.

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The Order of the Day for resuming the Adjourned Debate on the amendment to the amendment to the motion for the consideration of the Speech of the Honourable the Lieutenant-Governor at the opening of the Session, having been read,

The Debate was resumed, and, after some time, it was, on motion by Mr. Park,

*Ordered,* That the Debate be further adjourned until Tuesday next.

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The House then adjourned at 5.55 p.m.

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## FRIDAY, FEBRUARY 25TH, 1949

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PRAYERS.

1.30 O'CLOCK P.M.

On motion by Mr. Kennedy, seconded by Mr. Frost,

*Ordered,* That a Select Committee be appointed to direct the expenditure of any sum set apart in the Estimates for Art Purposes, such Committee to consist of:—

Messrs. Hamilton (Chairman), Chartrand, Foote, Leavens, Martin, Morrow, McKenzie.

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The following Bills were severally read the second time:—

Bill (No. 85), An Act to amend The Legislative Assembly Act.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 86), An Act to amend The Mining Act.

Referred to the Committee on Mining.

Bill (No. 87), An Act to amend The Agricultural Development Finance Act.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 88), An Act to amend The Agricultural Development Act.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 89), The Niagara Parks Act, 1949.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 90), An Act to amend The Hospitals Aid Act, 1948.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 91), An Act to amend The Sanatoria for Consumptives Act, 1947.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 92), An Act to amend The Private Sanitaria Act.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 94), The Mills Licensing Act, 1949.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 95), The Territorial Division Act, 1949.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 96), An Act to amend The Juvenile and Family Courts Act.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 97), An Act respecting Certain Contracts that have become Impossible of Performance or have been Otherwise Frustrated.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 98), An Act to amend The Professional Engineers Act.

Referred to a Committee of the Whole House on Monday next.

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The House then adjourned at 3.30 p.m.

MONDAY, FEBRUARY 28TH, 1949

PRAYERS.

3 O'CLOCK P.M.

The House resolved itself into a Committee to consider certain Resolutions and certain Bills.

Mr. Kennedy acquainted the House that the Honourable the Lieutenant-Governor, having been informed of the subject matter of the several Resolutions, recommends them to the consideration of the House.

After some time, Mr. Speaker resumed the Chair, and Mr. Patrick reported that the Committee had come to certain Resolutions as follows:—

*Resolved,*

That the indemnities and allowances for expenses of the Members of the Assembly, the indemnity of the Speaker, the indemnity and allowance for expenses of the Leader of the Opposition and the indemnity of the Chairman of the Committee of the Whole House be computed and paid in accordance with the provisions of Bill (No. 85), *An Act to amend The Legislative Assembly Act*.

*Resolved,*

That the cost of establishing, equipping, operating and maintaining mine rescue stations shall be paid out of the Consolidated Revenue Fund in the first instance and that the Workmen's Compensation Board shall, at the end of each quarter year, reimburse the Consolidated Revenue Fund from moneys assessed and levied by the Board against employers in the mining industry for the total amount certified by the Deputy Minister of Mines to have been paid out in respect of mine rescue stations, as provided for in section 8 of Bill (No. 86), *An Act to amend The Mining Act*; and

That the Minister of Mines, out of moneys provided for the purpose, may establish, maintain and operate assaying and testing laboratories for sampling, assaying, testing, analysing or determining rocks, ores, mineral and other substances in accordance with section 10 of the said Bill (No. 86), *An Act to amend The Mining Act*.

*Resolved,*

That all expenses incurred in the administration of *The Agricultural Development Finance Act* shall be paid out of, and all revenue paid into the Consolidated Revenue Fund, in accordance with section 1 of Bill (No. 87), *An Act to amend The Agricultural Development Finance Act*.

*Resolved,*

That all moneys received by the Niagara Parks Commission remaining after paying operating expenses, interest on indebtedness and principal

moneys borrowed shall, on the order of the Lieutenant-Governor in Council, be paid to the Treasurer of Ontario and shall form part of the Consolidated Revenue Fund as provided in section 14 of Bill (No. 89), *The Niagara Parks Act, 1949*.

*Resolved,*

That notwithstanding the provisions of *The Hospitals Aid Act, 1948* the moneys in the Hospital Aid Fund may be dispersed as grants by way of provincial aid to any sanatorium approved under *The Sanatoria for Consumptives Act, 1947* or for such other purposes as are mentioned in section 44 of that Act, as provided in section 1 of Bill (No. 90), *An Act to amend The Hospitals Aid Act, 1948*.

*Resolved,*

That the Minister of Health may pay out of any moneys appropriated by the Legislature for the purpose or out of the fund established under *The Hospitals Aid Act, 1948*—

(a) provincial aid to any sanatorium; and

(b) for the treatment outside a sanatorium of any person suffering from tuberculosis and for the post-sanatorium care of any former patient,

in such amounts, in such manner and at such times as may be prescribed by the regulations made under *The Sanatoria for Consumptives Act, 1947*, as provided for in section 1 of Bill (No. 91), *An Act to amend The Sanatoria for Consumptives Act, 1947*.

Also, That the Committee had directed him to report the following Bills without amendment:—

Bill (No. 59), *The Warble-fly Control Act, 1949*.

Bill (No. 61), *An Act to amend The Farm Products Marketing Act, 1946*.

Bill (No. 62), *The Farm Products Containers Act, 1949*.

Bill (No. 51), *An Act to amend The Deserted Wives' and Children's Maintenance Act*.

Bill (No. 54), *An Act to amend The Judicature Act*.

Bill (No. 72), *The Official Notices Publication Act, 1949*.

Bill (No. 73), *An Act to amend The Public Hospitals Act*.

Bill (No. 74), *An Act to amend The Ontario Northland Transportation Commission Act*.

Bill (No. 75), *An Act to amend The Water Powers Regulation Act*.

Bill (No. 76), An Act to amend The Cullers Act.

Bill (No. 78), An Act to amend The Lakes and Rivers Improvement Act.

Bill (No. 85), An Act to amend The Legislative Assembly Act.

Bill (No. 87), An Act to amend The Agricultural Development Finance Act.

Bill (No. 88), An Act to amend The Agricultural Development Act.

Bill (No. 92), An Act to amend The Private Sanitaria Act.

Bill (No. 94), The Mills Licensing Act, 1949.

Bill (No. 95), The Territorial Division Act, 1949.

Bill (No. 96), An Act to amend The Juvenile and Family Courts Act.

Bill (No. 97), An Act respecting Certain Contracts that have been Impossible of Performance or have been Otherwise Frustrated.

and to report the following Bill with certain amendments:—

Bill (No. 77), An Act to amend The Planning Act, 1946.

*Ordered*, That the Report be now received and adopted and that the Bills reported be severally read the third time to-morrow.

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The following Bill was read the second time:—

Bill (No. 99), An Act to amend The Matrimonial Causes Act.

Referred to a Committee of the Whole House to-morrow.

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The Order of the Day for resuming the Adjourned Debate on the amendment to the amendment to the motion for the consideration of the Speech of the Honourable the Lieutenant-Governor at the opening of the Session, having been read,

The Debate was resumed and, after some time, it was, on motion by Mr. Calder,

*Ordered*, That the Debate be further adjourned until to-morrow.

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The following Bills were severally read the third time and were passed:—

Bill (No. 37), The Community Centres Act, 1949.

Bill (No. 38), An Act to amend The Training Schools Act.

Bill (No. 39), An Act to amend The Industrial Standards Act.

Bill (No. 47), An Act to amend The Arbitration Act.

Bill (No. 48), An Act to amend The Coroners Act, 1948.

Bill (No. 49), An Act to amend The County Courts Act.

Bill (No. 50), The Crown Attorneys Act, 1949.

Bill (No. 52), An Act to amend The Crown Witnesses Act.

Bill (No. 53), An Act to amend The Division Courts Act.

Bill (No. 55), An Act to amend The Limitations Act.

Bill (No. 56), An Act to amend The Public Officers' Fees Act.

Bill (No. 57), An Act to Provide for the Consolidation of the Statutes.

Bill (No. 58), An Act to amend The Summary Convictions Act.

Bill (No. 63), An Act to amend The Ontario Food Terminal Act, 1946.

Bill (No. 71), An Act to amend The Land Transfer Tax Act.

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The House then adjourned at 5.05 p.m.

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## TUESDAY, MARCH 1st, 1949

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PRAYERS.

3 O'CLOCK P.M.

Mr. Cathcart, from the Standing Committee on Miscellaneous Private Bills, presented its First Report which was read, as follows, and adopted:—

Your Committee begs to report the following Bills without amendment:—

Bill (No. 1), An Act respecting The Federation for Community Service of Toronto.

Bill (No. 2), An Act respecting The Mount McKay and Kakabeka Falls Railway Company.

Bill (No. 3), An Act respecting The Incorporated Synod of the Diocese of Toronto.

Bill (No. 4), An Act respecting Cottam Farmers Limited.

Bill (No. 7), An Act respecting Wycliffe College.

Bill (No. 15), An Act respecting The Incorporated Synod of the Diocese of Ontario.

Your Committee begs to report the following Bill with certain amendments:—

Bill (No. 6), An Act respecting the Township of Scarborough.

Your Committee would recommend that the fees less the penalties and the actual cost of printing be remitted on Bill (No. 1), An Act respecting The Federation for Community Service of Toronto; Bill (No. 3), An Act respecting The Incorporated Synod of the Diocese of Toronto; Bill (No. 7), An Act respecting Wycliffe College; and Bill (No. 15), An Act respecting The Incorporated Synod of the Diocese of Ontario.

*Ordered*, That the fees less the penalties and the actual cost of printing be remitted on Bill (No. 1), An Act respecting The Federation for Community Service of Toronto; Bill (No. 3), An Act respecting The Incorporated Synod of the Diocese of Toronto; Bill (No. 7), An Act respecting Wycliffe College; and Bill (No. 15), An Act respecting The Incorporated Synod of the Diocese of Ontario.

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The following Bills were severally introduced and read the first time:—

Bill (No. 101), intituled, "An Act to amend The Ontario Municipal Board Act." *Mr. Walker*.

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 102), intituled, "An Act to amend The Wolf and Bear Bounty Act, 1946." *Mr. Scott* (Peterborough).

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 103), intituled, "The Loan and Trust Corporations Act, 1949." *Mr. Blackwell*.

*Ordered*, That the Bill be read the second time to-morrow.

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The Order of the Day for resuming the Adjourned Debate on the amendment to the amendment to the motion for the consideration of the Speech of the Honourable the Lieutenant-Governor at the opening of the Session, having been read,

The Debate was resumed and, after some time, it was, on motion by Mr. Foster,

*Ordered*, That the Debate be further adjourned until to-morrow.

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The House then adjourned at 11.10 p.m.

WEDNESDAY, March 2ND, 1949

PRAYERS.

3 O'CLOCK P.M.

On motion by Mr. Kennedy, seconded by Mr. Frost,

*Ordered*, That when this House adjourns the present sitting thereof it do stand adjourned until 2.00 of the clock to-morrow, Thursday afternoon.

On motion by Mr. Kennedy, seconded by Mr. Frost,

*Ordered*, That the following members be added to the Committee on Agriculture and Colonization:—

Messrs. Baxter, Dent, Johnston (Simcoe Centre), and Murdoch.

*Ordered*, That the following members be added to the Committee on Fish and Game:—

Messrs. Mackenzie and McEwing.

The following Bills were severally introduced and read the first time:—

Bill (No. 17), intituled, "An Act respecting the Township of Etobicoke." *Mr. Millard*.

Referred to the Committee on Private Bills.

Bill (No. 34), intituled, "An Act respecting Canada Comforter Company Limited." *Mr. Rea*.

Referred to the Committee on Private Bills.

Bill (No. 104), intituled, "An Act to amend the Assessment Act." *Mr. Dunbar*.

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 105), intituled, "An Act to amend the Presqu'ile Park Act." *Mr. Dunbar*.

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 106), intituled, "An Act to amend The Long Point Park Act." *Mr. Dunbar*.

*Ordered*, That the Bill be read the second time to-morrow.



Mr. Newman asked the following Question (No. 6):—

1. What progress has been made in the establishment of an Industrial Farm in the Rainy River District. 2. What land has been bought or held under option to buy; and what amounts have been paid for such land, or options on land. 3. If any land has been bought—from whom was it bought; by whom was it appraised, and what price was paid for it.

The Minister of the Department of Reform Institutions replied as follows:—

1. Under consideration. 2. None. 3. Answered by No. 2.

Mr. Cox asked the following Question (No. 7):—

1. What has been the amount of wood which has been cut on Crown lands and exported in each of the past five years. 2. What steps have been taken in the past year to reforest cut-over land in Northern Ontario. 3. How many trees have been planted on Crown lands in Northern Ontario in the past five years.

The Minister of Lands and Forests replied as follows:—

1.	Spruce and Balsam Cords	Jack Pine Cords	Poplar Cords	Total Cords
1944.....	188,505.31	50,737.00	10,978.34	250,220.65
1945.....	334,303.65	42,993.08	18,144.65	395,441.38
1946.....	519,911.97	35,966.47	23,529.18	579,407.62
1947.....	530,216.91	69,557.01	23,482.51	623,256.43
1948.....	391,636.75	60,776.36	18,280.20	470,693.31

2. A Forest Nursery has been established in the Thunder Bay District to provide forest planting stock. Production this year—205,000 all species; 1950—934,000; 1951—2,200,000 plus; increasing annually. The Division of Research has sown seeds by aircraft over the more severely burned sections of the Chap-leau-Thessalon fire area. The Division of Research has also completed three years study of regeneration results following cutting operations on the limits of Lakehead operators. This is a long term programme designed to modify cutting practices in the interest of better natural regeneration. As a further development, the Department has begun the establishment of a series of sample plots representing various forest conditions on which cutting practices, recommended by previous survey results, may be tested. All this work is directed towards the creation of successful regeneration practices in co-operation with the timber operators.

3.	1944.....	41,775
	1945.....	443,975
	1946.....	500,425
	1947.....	419,975
	1948.....	620,465

2,026,615

Mr. McEwing asked the following Question (No. 8):—

1. What efforts has the Government made to regulate the destruction of trees for the Christmas tree trade. 2. How many seedlings has the Government provided for each of the last five years.

The Minister of Lands and Forests replied as follows:—

1. The Trees Conservation Act was passed to enable the Counties to control cutting. Cutting from Crown Lands is not authorized.

2.	1944.....	10,999,379
	1945.....	11,280,981
	1946.....	13,175,575
	1947.....	12,269,533
	1948.....	13,048,776
		<hr/>
		60,774,244

Mr. Millard asked the following Question (No. 13):—

1. Has the Liquor Control Board leased or authorized the lease of the premises situated on the south side of Bloor Street West near Glenview Boulevard, adjacent to the brewer's warehouse. 2. What is the name and address of the lessor. 3. What was the 1948 assessed value of the property. 4. When was the lease signed. 5. For what period is the lease to be in effect. 6. What is the amount of monthly or other rental to be paid under the lease. 7. Does the lease contain an option to purchase and, if so, upon what terms. 8. Did the Board give any financial assistance to any person or corporation by way of loan, advance payment on the lease or any other form of financial assistance, for the erection of the store now being completed, and if so in what amount and on what terms.

The Chief Commissioner of the Liquor Control Board replied as follows:—

1. Yes. 2. Andrew Soulsby, 2360 Bloor Street West, Toronto, Ontario. 3. \$1,400.00—land only. 4. An offer to lease was made to Mr. Soulsby and accepted by him on May 10th, 1948. 5. Ten years from 1st February, 1949, with an option to renew for a further ten years. 6. \$425.00 which includes heating. 7. No. 8. No.

Mr. Temple asked the following Question (No. 16):—

1. From what suppliers did the Liquor Control Board purchase liquor to the value of more than \$50,000 during the fiscal year ending March 31st, 1948. 2. What was the value of the liquor purchased from each of such suppliers. 3. Were such purchases in any case made through an agent, rather than direct from a manufacturer. 4. What are the names and addresses of each such agent, and the value of liquor purchased through each of them during said fiscal year.

The Chief Commissioner of the Liquor Control Board replied as follows:—

1, 2.	Name	Address	Invoice Value of Goods
	Barclay, Jas., Ltd.	Windsor, Ont.	\$860,901.59
	Barnes Wines, Ltd.	St. Catharines, Ont.	190,886.21
	Blue Top Brewing Co., Ltd.	Kitchener, Ont.	75,006.86
	Brading Capital Breweries, Ltd.	Ottawa, Ont.	222,704.17
	Bright's Wines, Ltd.	Niagara Falls, Ont.	768,939.54
	Buchanan, Jas., & Co., Ltd.	26 Holborn St., London, Eng.	105,679.88
	Calvert Distilleries	Montreal, Que.	1,166,801.83
	Carling Breweries, Ltd.	Waterloo, Ont.	340,045.47
	Charley, Edwin, Ltd.	Nassau, Bahamas	55,000.00
	Chateau-Gai Wines, Ltd.	St. Catharines, Ont.	241,034.21
	Co-Operative Wine Growers Assoc.	Capetown, South Africa	74,489.13
	Corby's Distillery, Ltd.	Montreal, Que.	1,740,536.47
	Danforth Wines, Ltd.	Toronto, Ont.	259,805.79
	Distillers Corporation, Ltd.	Montreal, Que.	1,252,641.18
	Dewar, James, & Son, Ltd.	Haymarket, London, Eng.	258,388.17
	Gooderham & Worts, Ltd.	Toronto, Ont.	1,283,627.04
	Gilbey Distillery	New Toronto, Ont.	214,274.55
	Gilbey, W. & A., Ltd.	Regent's Park, London, Eng.	86,762.65
	Grimsby Wines, Ltd.	Grimsby, Ont.	58,512.06
	Harvey, John, & Sons, Ltd.	Bristol, Eng.	54,856.03
	Hennessey, Jas., & Co.	Cognac, France	51,702.23
	Hill, Thomson & Co., Ltd.	Edinburgh, Scotland	56,716.33
	Hudson Bay Company	Edinburgh, Scotland	118,175.23
	Jordan Wine Co., Ltd.	St. Catharines, Ont.	332,639.14
	Labatt, John, Ltd.	London, Ont.	304,394.47
	London Winery, Ltd.	London, Ont.	125,052.62
	MacDonald, Greenless, Ltd.	Leith, Scotland	63,017.64
	Marie Brizzard & Roger	Bordeaux, France	50,000.00
	Marsh, Fred, Winery, Ltd.	Niagara Falls, Ont.	128,632.72
	McGuinness, L. J., & Co.	Mimico, Ont.	555,285.88
	Meagher Bros.	Montreal, Que.	264,445.74
	Melchers Distillery	Montreal, Que.	202,252.83
	Merchants Distilling Corp.	Terre Haut, Ind., U.S.A.	65,852.65
	Molson's Brewery, Ltd.	Montreal, Que.	234,484.91
	Myers, Fred L., & Co.	Nassau, Bahamas	60,000.00
	National Breweries, Ltd.	Montreal, Que.	507,250.53
	O'Keefe Brewery, Ltd.	Toronto, Ont.	493,395.09
	Seagram, Joseph E.	Montreal, Que.	2,539,235.79
	Tanqueray, Gordon & Co.	Eastcheap, London, Eng.	55,853.18
	Teacher, Wm., & Sons, Ltd.	Glasgow, Scotland	59,545.62
	Turner Wine Company	Toronto, Ont.	141,401.63
	Union Brewery, Ltd.	Timmins, Ont.	56,055.86
	United Distillers, Ltd.	Vancouver, B.C.	580,593.19
	Walker, John, & Sons, Ltd.	Kilmarnock, Scotland	151,253.77
	Walker, Hiram, & Sons.	Windsor, Ont.	2,188,286.52
	White Horse Distillery, Ltd.	Glasgow, Scotland	53,377.99

3. No.

4. Answered by (3).

Mr. Thornberry asked the following Question (No. 17):—

1. What steps have been taken to effect a settlement of the strike of printers at the Hamilton Spectator.
2. On what date was the last of such steps taken.
3. What steps are contemplated with a view to effecting a settlement.

The Minister of Labour replied as follows:—

1. Notification of strike received from Company May 31, 1946, and conciliation requested by Company. Conciliation officer was instructed immediately to confer with parties. Conciliation officer contacted President of Local of International Typographical Union of Hamilton and was informed the strike was on a nation-wide basis against Southam Press and that nothing could be done in Hamilton to settle the strike at The Hamilton Spectator. No further request received from Company or Union to intervene in strike situation at Hamilton. 2. Answered in No. 1. 3. No further steps contemplated in view of position taken by local union.

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Mr. McEwing asked the following Question (No. 28):—

What has been the total cost to date of the publication "Ontario Services".

The Minister of Travel and Publicity replied as follows:—

\$29,511.33.

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Mr. McEwing asked the following Question (No. 30):—

Who are the present members of the Workmen's Compensation Board, and what is the salary of each.

The Minister of Labour replied as follows:—

E. E. Sparrow, Chairman, \$9,000 year; Dr. D. J. Galbraith, Commissioner and Vice-Chairman, \$7,500 year; J. F. Cauley, Commissioner, \$7,000 year.

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Mr. Scott (Beaches) asked the following Question (No. 47):—

In the year ending March 31st, 1948, how many convictions for drunkenness have been registered in Ontario Courts.

The Chief Commissioner of the Liquor Control Board replied as follows:—

30,620.

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The Order of the Day for resuming the Adjourned Debate on the amendment

to the amendment to the motion for the consideration of the Speech of the Honourable the Lieutenant-Governor at the opening of the Session, having been read,

The Debate was resumed and, after some time, it was, on motion by Mr. Dowling,

*Ordered*, That the Debate be further adjourned until to-morrow.

The House then adjourned at 6.00 p.m.

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## THURSDAY, MARCH 3RD, 1949

PRAYERS.

2 O'CLOCK P.M.

Mr. Cathcart, from the Standing Committee on Miscellaneous Private Bills, presented its Second Report which was read, as follows, and adopted:—

Your Committee begs to report the following Bills without amendment:—

Bill (No. 8), An Act to establish The Frontenac High School District.

Bill (No. 12), An Act respecting the City of Chatham.

Bill (No. 13), An Act respecting The Hospital for Sick Children.

Bill (No. 26), An Act to incorporate the Ontario Co-operative Credit Society.

Your Committee begs to report the following Bills with certain amendments:—

Bill (No. 9), An Act respecting l'Institut Jeanne d'Arc.

Bill (No. 14), An Act respecting the City of Belleville.

Bill (No. 20), An Act respecting McMaster University.

Your Committee would recommend that the fees less the penalties and the actual cost of printing be remitted on Bill (No. 9), An Act respecting l'Institut Jeanne d'Arc; Bill (No. 13), An Act respecting The Hospital for Sick Children; and Bill (No. 20), An Act respecting McMaster University.

*Ordered*, That the fees, less the penalties and the actual cost of printing be remitted on Bill (No. 9), An Act respecting l'Institut Jeanne d'Arc; Bill (No. 13), An Act respecting The Hospital for Sick Children; and Bill (No. 20), An Act respecting McMaster University.

Before the Orders of the Day, Mr. Cox tabled a copy of a report with reference to the Aquasabon Power Development.

The Order of the Day for resuming the Adjourned Debate on the amendment to the amendment to the motion for the consideration of the Speech of the Honourable the Lieutenant-Governor at the opening of the Session, having been read,

The Debate was resumed and, after some time, the amendment to the amendment, as follows:—

That the amendment to the motion for consideration of the speech of the Hon. Lieutenant-Governor now before the House be further amended by adding thereto the following words:—

And this House further regrets:

1. That the Government has seen fit to withdraw the subsidy on hogs without consulting the Legislative Assembly.
2. That the Speech from the Throne gave no indication that the Royal Commission Report on Education would be presented at this Session.
3. That no broad policy is indicated in the Speech in implementation of the Kennedy Report and to make adequate provision for conservation throughout the province.

having been put, was lost on the following Division:—

#### YEAS

Baxter	Houck	Park
Brown	Isley	Robinson
Chartrand	Jolliffe	Salsberg
Cox	Leavens	Scott
Dennison	MacLeod	(Beaches)
Dowling	Macphail	Taylor
Easton	Millard	Temple
Ellis	McEwing	Thomas
Fell	McMillan	(Ontario)
Foster	Newman	Thornberry
Gordon	Nixon	Walker
Grummett	Oliver	Walters
Harvey		Wisner—36
(Sault Ste. Marie)		

#### NAYS

Allen	Downer	Griesinger
Blackwell	Dunbar	Hall
Cathcart	Edwards	Hamilton
Cecile	Foote	Hanna
Daley	Frost	Harvey
Dempsey	Fullerton	(Nipissing)
Dent	Gemmell	Hunt
Doucett	Goodfellow	Janes

## NAYS—continued

Johnston (Parry Sound)	McDonald	Robson
Johnston (Simcoe Centre)	McPhee	Sandercock
Kelley	Nault	Scott (Peterborough)
Kennedy	Parry	Stewart
Mackenzie	Patrick	Thomas (Elgin)
Martin	Phillips	Villeneuve
Morrow	Porter	Welsh
Murdoch	Pringle	White—50
	Pryde	
	Rea	
	Reynolds	

Mr. MacLeod then moved, seconded by Mr. Salsberg, that the amendment to the motion for consideration of the Speech of the Honourable the Lieutenant-Governor now before this House be further amended by adding thereto the following words:—

And this House particularly regrets—

1. That the Government has failed to make available to all Old Age Pensioners in the Province the \$10.00 monthly supplement now being paid to a limited number of Ontario's aged citizens.

2. That the Government has failed to take adequate steps to protect the health of Nurses and other Hospital personnel by requiring a compulsory chest X-ray of all patients on being admitted to the Hospitals of Ontario.

3. That the Government has failed to take the necessary steps to arrest the alarming increase in mental illness by providing increased Hospital accommodation for Mental Patients and adequate funds for Psychiatric research.

The amendment to the amendment having been put was lost on the following Division:—

## YEAS

Baxter	Houck	Salsberg
Brown	Isley	Scott (Beaches)
Chartrand	Jolliffe	Taylor
Cox	Leavens	Temple
Dennison	MacLeod	Thomas (Ontario)
Dowling	Macphail	Thornberry
Easton	Millard	Walker
Ellis	McEwing	Walters
Fell	McMillan	Wismer—36
Foster	Newman	
Gordon	Nixon	
Grummett	Oliver	
Harvey (Sault Ste. Marie)	Park	
	Robinson	

## NAYS

Allen	Hamilton	Parry
Blackwell	Hanna	Patrick
Cathcart	Harvey	Phillips
Cecile	(Nipissing)	Porter
Daley	Hunt	Pringle
Dempsey	Janes	Pryde
Dent	Johnston	Rea
Doucett	(Parry Sound)	Reynolds
Downer	Johnston	Robson
Dunbar	(Simcoe Centre)	Sandercock
Edwards	Kelley	Scott
Foote	Kennedy	(Peterborough)
Frost	Mackenzie	Stewart
Fullerton	Martin	Thomas
Gemmell	Morrow	(Elgin)
Goodfellow	Murdoch	Villeneuve
Griesinger	McDonald	Welsh
Hall	McPhee	White—50
	Nault	

The amendment to the motion, as follows:—

That the Motion for consideration of the Speech of the Honourable the Lieutenant-Governor now before the House be amended by adding thereto the following words:—

“But this House regrets the failure of the Government to meet the needs of the people of Ontario with respect to housing, hydro, health, welfare, education, agriculture and labour.”

having been put, was lost on the following Division:—

## YEAS

Baxter	Houck	Salsberg
Brown	Isley	Scott
Chartrand	Jolliffe	(Beaches)
Cox	Leavens	Taylor
Dennison	MacLeod	Temple
Dowling	Macphail	Thomas
Easton	Millard	(Ontario)
Ellis	McEwing	Thornberry
Fell	McMillan	Walker
Foster	Newman	Walters
Gordon	Nixon	Wismer—36
Grummett	Oliver	
Harvey	Park	
(Sault Ste. Marie)	Robinson	



## NAYS

Allen	Hamilton	Parry
Blackwell	Hanna	Patrick
Cathcart	Harvey	Phillips
Cecile	(Nipissing)	Porter
Challies	Hunt	Pringle
Daley	Janes	Pryde
Dempsey	Johnston	Rea
Dent	(Parry Sound)	Reynolds
Doucett	Johnston	Robson
Downer	(Simcoe Centre)	Sandercock
Dunbar	Kelley	Scott
Edwards	Kennedy	(Peterborough)
Foote	Mackenzie	Stewart
Frost	Martin	Thomas
Fullerton	Morrow	(Elgin)
Gemmell	Murdoch	Villeneuve
Goodfellow	McDonald	Welsh
Griesinger	McPhee	White—51
Hall	Nault	

The main Motion, having been put, was then carried on the following Division:—

## YEAS

Allen	Hamilton	Parry
Blackwell	Hanna	Patrick
Cathcart	Harvey	Phillips
Cecile	(Nipissing)	Porter
Challies	Hunt	Pringle
Daley	Janes	Pryde
Dempsey	Johnston	Rea
Dent	(Parry Sound)	Reynolds
Doucett	Johnston	Robson
Downer	(Simcoe Centre)	Sandercock
Dunbar	Kelley	Scott
Edwards	Kennedy	(Peterborough)
Foote	Mackenzie	Stewart
Frost	Martin	Thomas
Fullerton	Morrow	(Elgin)
Gemmell	Murdoch	Villeneuve
Goodfellow	McDonald	Welsh
Griesinger	McPhee	White—51
Hall	Nault	

## NAYS

Baxter	Dowling	Gordon
Brown	Easton	Grummett
Chartrand	Ellis	Harvey
Cox	Fell	(Sault Ste. Marie)
Dennison	Foster	Houck

## NAYS—continued

Isley	Newman	Taylor
Jolliffe	Nixon	Temple
Leavens	Oliver	Thomas
MacLeod	Park	(Ontario)
Macphail	Robinson	Thornberry
Millard	Salsberg	Walker
McEwing	Scott	Walters
McMillan	(Beaches)	Wismer—36

And it was,

*Resolved*, That an humble Address be presented to the Honourable the Lieutenant-Governor of the Province of Ontario, as follows:—

*To the Honourable Ray Lawson, O.B.E., LL.D.,  
Lieutenant-Governor of the Province of Ontario.*

We, His Majesty's most dutiful and loyal subjects, the Legislative Assembly of the Province of Ontario, now assembled, beg leave to thank Your Honour for the gracious speech Your Honour has addressed to us.

The Address, having been read the second time, was agreed to.

*Ordered*, That the Address be engrossed and presented to the Honourable the Lieutenant-Governor by those Members of this House who are Members of the Executive Council.

---

On motion by Mr. Frost, seconded by Mr. Kennedy,

*Ordered*, That this House will to-morrow resolve itself into the Committee of Supply.

---

On motion by Mr. Frost, seconded by Mr. Kennedy,

*Ordered*, That this House will to-morrow resolve itself into the Committee on Ways and Means.

---

The House then adjourned at 7.20 p.m.

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FRIDAY, MARCH 4TH, 1949

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PRAYERS.

1.30 O'CLOCK P.M.

Mr. Kennedy delivered to Mr. Speaker a message from the Honourable the Lieutenant-Governor signed by himself, and the said message was read by Mr. Speaker and is as follows:

## RAY LAWSON, O.B.E., LL.D.

The Lieutenant-Governor transmits Estimates of certain sums required for the services of the Province for the year ending 31st March, 1950, and recommends them to the Legislative Assembly.

Toronto, March 4th, 1949.

(*Sessional Papers No. 2.*)

*Ordered*, That the message of the Lieutenant-Governor, together with the Estimates accompanying the same, be referred to the Committee of Supply.

The Order of the Day for the House to resolve itself into the Committee of Supply having been read,

Mr. Frost moved,

That Mr. Speaker do now leave the Chair and that the House resolve itself into the Committee of Supply.

And a Debate having ensued, it was, on motion by Mr. Wismer,

*Ordered*, That the Debate be adjourned until Tuesday next.

During the course of his presentation of the Budget the Provincial Treasurer laid on the Table the following statements:—

ESTIMATE OF LOSS IN REVENUE TO THE PROVINCE OF ONTARIO  
BY REASON OF THE WARTIME TAX AGREEMENTS

	1941 1942	1942 1943	1943 1944	1944 1945	1945 1946	1946 1947	1947 1948	TOTAL
	(Thousands of Dollars)							
PERSONAL INCOME TAX.....	4,700	1,000	13,000	19,000	18,000	16,000	.....	71,700
CORPORATIONS TAX—								
Capital Tax.....	6,500	6,600	13,600	7,300	7,200	7,300	8,300	56,800
Income Tax.....	15,300	25,400	52,700	28,700	28,400	28,700	52,700	231,900
Total Corporation Taxes....	21,800	32,000	66,300	36,000	35,600	36,000	61,000	288,700
TOTAL PERSONAL INCOME TAXES AND CORPORATION TAXES...	26,500	33,000	79,300	55,000	53,600	52,000	61,000	360,400
ACTUAL RECEIPTS—								
Corporation and Personal In- come Tax Subvention under Wartime Tax Agreement..	2,896	27,593	29,180	28,325	28,094	28,371	.....	144,459
Rebate under Wartime Tax Agreement.....							28,964	28,964
Actual Corporations Tax Col- lections, 1947-48.....							44,664	44,664
Gasoline Tax Subvention un- der Wartime Tax Agree- ment.....		5,612	7,440	7,695	2,441	.....	.....	23,188
Total Actual Receipts.....	2,896	33,205	36,620	36,020	30,535	28,371	73,628	241,275
NET LOSS UNDER WARTIME TAX AGREEMENT.....	23,604	205 (Gain)	42,680	18,980	23,065	23,629	12,628 (Gain)	119,125

## INTERIM STATEMENT OF ORDINARY REVENUE

FISCAL YEAR APRIL 1, 1948—MARCH 31, 1949

10 Months Actual—2 Months Forecast—12 Months

DEPARTMENT	Gross Ordinary Revenue	Application of Revenue to Expenditure	Net Ordinary Revenue
AGRICULTURE.....	\$ 1,084,000.00	\$ .....	\$ 1,084,000.00
ATTORNEY-GENERAL.....	1,565,000.00	251,000.00	1,314,000.00
EDUCATION.....	280,000.00	.....	280,000.00
HEALTH.....	2,360,000.00	14,000.00	2,346,000.00
HIGHWAYS:			
Main Office and Branch.....	10,000.00	.....	10,000.00
Gasoline Tax Branch.....	51,320,000.00	.....	51,320,000.00
Miscellaneous Permits Branch.....	140,000.00	.....	140,000.00
Motor Vehicles Branch.....	14,000,000.00	.....	14,000,000.00
	<u>\$ 65,470,000.00</u>	<u>.....</u>	<u>65,470,000.00</u>
INSURANCE.....	287,000.00	.....	287,000.00
LABOUR.....	224,000.00	12,000.00	212,000.00
LANDS AND FORESTS.....	11,259,000.00	.....	11,259,000.00
MINES.....	2,614,000.00	7,000.00	2,607,000.00
MUNICIPAL AFFAIRS.....	289,000.00	.....	289,000.00
PROVINCIAL SECRETARY.....	629,000.00	.....	629,000.00
PROVINCIAL TREASURER:			
Main Office—Subsidy.....	3,155,000.00	.....	3,155,000.00
Interest.....	71,000.00	.....	71,000.00
Liquor Authority Transfer Fees.....	1,205,000.00	.....	1,205,000.00
Liquor Control Board.....	35,000,000.00	.....	35,000,000.00
Controller of Revenue Branch:			
Succession Duty.....	15,500,000.00	.....	15,500,000.00
Corporations Tax.....	58,500,000.00	.....	58,500,000.00
Race Tracks.....	3,324,000.00	.....	3,324,000.00
Security Transfer Tax.....	825,000.00	.....	825,000.00
Land Transfer Tax.....	1,211,000.00	.....	1,211,000.00
Law Stamps.....	620,000.00	.....	620,000.00
Miscellaneous.....	52,000.00	.....	52,000.00
Motion Picture Censorship and Theatre			
Inspection Branch.....	246,000.00	.....	246,000.00
Province of Ontario Savings Office.....	431,000.00	431,000.00	.....
Office of Athletic Commissioner.....	5,000.00	5,000.00	.....
	<u>\$120,145,000.00</u>	<u>\$ 436,000.00</u>	<u>\$119,709,000.00</u>
PUBLIC WORKS.....	45,000.00	3,000.00	42,000.00
REFORM INSTITUTIONS.....	2,051,000.00	1,549,000.00	502,000.00
PUBLIC WELFARE.....	4,000.00	.....	4,000.00
	<u>\$208,306,000.00</u>	<u>\$2,272,000.00</u>	<u>\$206,034,000.00</u>
PUBLIC DEBT—Interest, Exchange, etc.....	5,534,000.00	5,534,000.00	.....
	<u>\$213,840,000.00</u>	<u>\$7,806,000.00</u>	<u>\$206,034,000.00</u>

## INTERIM STATEMENT OF ORDINARY EXPENDITURE

FISCAL YEAR APRIL 1, 1948—MARCH 31, 1949

10 Months Actual—2 Months Forecast—12 Months

DEPARTMENT	Gross Ordinary Expenditure	Application of Revenue to Expenditure	Net Ordinary Expenditure
AGRICULTURE.....	\$ 7,402,000.00	\$ .....	\$ 7,402,000.00
ATTORNEY-GENERAL.....	7,844,000.00	251,000.00	7,593,000.00
EDUCATION.....	46,664,000.00	.....	46,664,000.00
HEALTH.....	22,239,000.00	14,000.00	22,225,000.00
HIGHWAYS.....	39,298,000.00	.....	39,298,000.00
INSURANCE.....	106,000.00	.....	106,000.00
LABOUR.....	882,000.00	12,000.00	870,000.00
LANDS AND FORESTS.....	11,410,000.00	.....	11,410,000.00
LIEUTENANT-GOVERNOR.....	11,000.00	.....	11,000.00
MINES.....	762,000.00	7,000.00	755,000.00
MUNICIPAL AFFAIRS.....	4,078,000.00	.....	4,078,000.00
PLANNING AND DEVELOPMENT.....	624,000.00	.....	624,000.00
PRIME MINISTER.....	43,000.00	.....	43,000.00
PROVINCIAL AUDITOR.....	180,000.00	.....	180,000.00
PROVINCIAL SECRETARY.....	1,380,000.00	.....	1,380,000.00
PROVINCIAL TREASURER.....	2,774,000.00	436,000.00	2,338,000.00
PUBLIC WELFARE.....	18,356,000.00	.....	18,356,000.00
PUBLIC WORKS.....	2,420,000.00	3,000.00	2,417,000.00
REFORM INSTITUTIONS.....	5,962,000.00	1,549,000.00	4,413,000.00
TRAVEL AND PUBLICITY.....	454,000.00	.....	454,000.00
STATIONERY ACCOUNT.....	20,000.00	.....	20,000.00
	<u>\$172,909,000.00</u>	<u>\$2,272,000.00</u>	<u>\$170,637,000.00</u>
PUBLIC DEBT—Interest, Exchange, etc. ....	24,237,000.00	5,534,000.00	18,703,000.00
Sinking Fund Instalments and Railway Aid Certificates	15,562,000.00	.....	15,562,000.00
	<u>\$212,708,000.00</u>	<u>\$7,806,000.00</u>	<u>\$204,902,000.00</u>

## SUMMARY

ORDINARY REVENUE AND ORDINARY EXPENDITURE

FISCAL YEAR APRIL 1, 1948—MARCH 31, 1949

10 Months Actual—2 Months Forecast—12 Months

Net Ordinary Revenue.....	\$206,034,000.00
Less: Net Ordinary Expenditure (before providing for Sinking Funds and Maturing Railway Aid Certificates).....	189,340,000.00
Surplus (before providing for Sinking Funds and Maturing Railway Aid Cer- tificates).....	\$ 16,694,000.00
Less: Provision for Sinking Funds and Maturing Railway Aid Certificates.	15,562,000.00
Interim Surplus.....	<u>\$ 1,132,000.00</u>

## INTERIM STATEMENT OF CAPITAL RECEIPTS

FISCAL YEAR APRIL 1, 1948—MARCH 31, 1949

10 Months Actual—2 Months Forecast—12 Months

DEPARTMENT	Gross Capital Receipts	Application of Receipts to Payments	Net Capital Receipts
AGRICULTURE.....	\$ 5,000.00	\$ .....	\$ 5,000.00
HIGHWAYS.....	345,000.00	.....	345,000.00
LABOUR.....	5,100,000.00	.....	5,100,000.00
LANDS AND FORESTS.....	229,000.00	.....	229,000.00
MINES.....	40,000.00	.....	40,000.00
PROVINCIAL SECRETARY.....	3,409,000.00	.....	3,409,000.00
PROVINCIAL TREASURER.....	44,793,000.00	.....	44,793,000.00
PUBLIC WELFARE.....	21,479,000.00	21,479,000.00	.....
	<u>\$75,400,000.00</u>	<u>\$21,479,000.00</u>	<u>\$53,921,000.00</u>

## INTERIM STATEMENT OF CAPITAL PAYMENTS

FISCAL YEAR APRIL 1, 1948—MARCH 31, 1949

10 Months Actual—2 Months Forecast—12 Months

DEPARTMENT	Gross Capital Payments	Application of Receipts to Payments	Net Capital Payments
AGRICULTURE.....	\$ 375,000.00	\$ .....	\$ 375,000.00
HEALTH.....	9,380,000.00	.....	9,380,000.00
HIGHWAYS.....	29,912,000.00	.....	29,912,000.00
LABOUR.....	4,350,000.00	.....	4,350,000.00
LANDS AND FORESTS.....	18,000.00	.....	18,000.00
PROVINCIAL SECRETARY.....	1,182,000.00	.....	1,182,000.00
PROVINCIAL TREASURER.....	7,851,000.00	.....	7,851,000.00
PUBLIC WELFARE.....	21,479,000.00	21,479,000.00	.....
PUBLIC WORKS.....	5,580,000.00	.....	5,580,000.00
	<u>\$80,127,000.00</u>	<u>\$21,479,000.00</u>	<u>\$58,648,000.00</u>

## PROVINCE OF ONTARIO

## DETAIL SUMMARY ACCOUNTING FOR ESTIMATED INCREASE IN GROSS DEBT

For the Fiscal Year to End on March 31, 1949

Gross Debt as at March 31, 1948.....	\$628,388,019.47
Estimated Gross Debt as at March 31, 1949.....	634,063,439.82
Estimated Increase for the fiscal year to end on March 31, 1949.....	<u>\$ 5,675,420.35</u>

## GROSS DEBT INCREASED BY:

## Capital Disbursements—

Disbursements on Highways, Public Buildings, Works, etc.....	\$42,618,000.00
Less—Capital Receipts.....	309,500.00

\$42,308,500.00

Discount on Debentures issued during year.....	1,775,000.00
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Increase in Income Liabilities.....	12,481.91
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## Increase in Loans Receivable—

Tile Drainage.....	\$ 86,000.00
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Co-operative Marketing Loans.....	253,400.00
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339,400.00\$ 44,435,381.91

## GROSS DEBT DECREASED BY:

Retirement of Railway Aid Certificates.....	\$ 12,561.56
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Sinking Fund Instalments.....	15,550,000.00
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Surplus on Ordinary Account.....	1,132,000.00
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\$16,694,561.56

Discount on Debentures—written off.....	509,000.00
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## Net Repayments on Loans Receivable—

Hydro-Electric Power Commission of Ontario.....	\$15,982,700.00
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Agricultural Development Board.....	2,500,000.00
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Guaranteed Debentures (Net).....	47,100.00
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Miscellaneous (Net).....	55,500.00
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18,585,300.00

Increase in Reserves (Net).....	5,600.00
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Decrease in Cash.....	2,965,500.00
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38,759,961.56

Estimated Increase for the fiscal year to end on March 31, 1949.....	<u>\$ 5,675,420.35</u>
--	------------------------

## PROVINCE OF ONTARIO

## ESTIMATED INCREASE IN THE NET DEBT

As at March 31, 1949

## As at March 31, 1949:

Estimated Gross Debt.....	\$634,063,439.82
Less—Estimated Revenue Producing and Realizable Assets.....	140,310,133.50

Estimated Net Debt.....	<u>\$493,753,306.32</u>
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## As at March 31, 1948:

Gross Debt.....	\$628,388,019.47
Less—Revenue Producing and Realizable Assets.....	161,634,533.50

Net Debt.....	<u>\$466,753,485.97</u>
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Estimated Increase in Net Debt.....	<u>\$ 26,999,820.35</u>
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## THE FUNDED DEBT OF ONTARIO

## DETAILED SUMMARY OF ESTIMATED CHANGES

For the Fiscal Year to end March 31, 1949

As at March 31, 1948 (after deducting Sinking Funds).....	\$543,824,696.79
ADD—Sale of Debentures:	
“CF” 2¾% due January 15, 1953-1959.....	\$ 550,000.00
“RAE” 3% due April 15, 1962-1965.....	40,000,000.00
“TFE” 3¼% due January 1, 1962.....	750,000.00
“BQ” 2½% due November 1, 1953.....	10,000,000.00
“BQ” 3% due November 1, 1959.....	15,000,000.00
“BQ” 3% due November 1, 1966.....	25,000,000.00
“TI” 4½% due November 1, 1952.....	4,300,000.00
	<u>95,600,000.00</u>
	\$639,424,696.79
LESS—Redemptions:	
“AL” 4% due May 15, 1948.....	\$ 686,000.00
“AP” 4½% due May 15, 1948.....	630,000.00
“AS” 4% due June 1, 1948.....	592,000.00
“RAB” 1¼% due July 2, 1948.....	3,000,000.00
“BM” 1½% due July 15, 1948.....	500,000.00
“RZ” 2½% due August 1, 1948.....	1,000,000.00
“RAC” 1½% due September 1, 1948.....	12,000,000.00
“AF” 5% due October 15, 1948.....	36,136,500.00
“AK” 4½% due November 1, 1948.....	800,000.00
“RP” 3¼% due November 1, 1948.....	10,000,000.00
“RS” 3% due November 1, 1948.....	1,050,000.00
“AH” 4½% due December 1, 1948.....	700,000.00
“RAD” Various due December 15, 1948.....	4,000,000.00
“AJ” 4½% due January 15, 1949.....	800,000.00
“AR” 4½% due January 15, 1949.....	549,000.00
“BN” Various due January 15, 1949.....	1,500,000.00
“RB” 3% due January 15, 1949.....	1,000,000.00
“BC” 4½% due January 16, 1949.....	14,999,000.00
	<u>\$89,942,500.00</u>
Railway Aid Certificates.....	12,561.56
Increase in Sinking Fund Investments—Current Year.....	15,550,000.00
	<u>105,505,061.56</u>
Estimated as at March 31, 1949 (after deducting Sinking Funds).....	<u>\$533,919,635.23</u>

## SUMMARY

Redemption and Increase in Sinking Fund.....	\$105,505,061.56
Less—New Issues.....	<u>95,600,000.00</u>
Net Decrease in Funded Debt.....	<u>\$ 9,905,061.56</u>



## PROVINCE OF ONTARIO

## CONTINGENT LIABILITIES, BONDS, ETC., GUARANTEED BY THE PROVINCE

Estimated as at March 31, 1949

Total as per Public Accounts, March 31, 1948..... \$182,498,650.91

## ADD—New Guarantees or Increases for the Fiscal Year to end on March 31, 1949—

Co-operative Marketing Loans.....	\$ 244,000.00	
Ontario Food Terminal Board.....	200,000.00	
Power Commission.....	85,000,000.00	
Railways.....	2,500,000.00	
		<u>87,944,000.00</u>
		\$270,442,650.91

## LESS—Principal Maturities redeemed or to be redeemed during the Fiscal Year to end on March 31, 1949—

Municipalities.....	\$ 7,052.69	
Park Commissions.....	100,600.00	
Power Commission.....	9,375,000.00	
Railways.....	158,000.00	
Schools.....	108,831.73	
Universities.....	125,005.45	
Ontario Stock Yards Board.....	75,000.00	
		<u>9,949,489.87</u>
		\$260,493,161.04

LESS—Sinking Fund Deposits for the Fiscal Year to end on March 31, 1949.. 789.90

Estimated Contingent Liability of the Province as at March 31, 1949..... \$260,492,371.14

## SUMMARY

Estimated Contingent Liability of the Province as at March 31, 1949.....	\$260,492,371.14
Contingent Liability of the Province as at March 31, 1948...	182,498,650.91
Estimated Increase.....	<u>\$ 77,993,720.23</u>

## SUMMARY

## HOSPITAL AID FUND

(12 Geo. VI, 1948, Chap. 40, Sec. 2)

FISCAL YEAR APRIL 1, 1948—MARCH 31, 1949

10 Months Actual—2 Months Forecast—12 Months

## RECEIPTS:

Hospitals Tax after providing for Expenses of Collection.....	\$6,050,000.00	
Appropriations from Consolidated Revenue Fund—		
Hospital Maintenance Grants.....	2,300,000.00	
Hospital Capital Grants.....	1,150,000.00	
		<u>\$9,500,000.00</u>

## DISBURSEMENTS:

Grants to, or on behalf of, Public Hospitals for Maintenance and assisting in the costs of increasing facilities.....	9,380,000.00
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Interim excess of Receipts over Disbursements..... \$ 120,000.00

## SUMMARY

## BUDGET FORECAST

April 1, 1949—March 31, 1950

Net Ordinary Revenue.....	\$201,103,400.00
Less: Net Ordinary Expenditure (before providing for Sinking Funds and Maturing Railway Aid Certificates).....	195,319,654.00
Surplus (before providing for Sinking Funds and Railway Aid Certificates)....	\$ 5,783,746.00
Less: Provision for Sinking Funds and Railway Aid Certificates.....	5,626,200.00
Surplus Forecast.....	\$ 157,546.00

## BUDGET FORECAST OF ORDINARY REVENUE

FISCAL YEAR APRIL 1, 1949—MARCH 31, 1950

DEPARTMENT	Gross Ordinary Revenue	Application of Revenue to Expenditure	Net Ordinary Revenue
AGRICULTURE.....	\$ 829,000.00	\$ .....	\$ 829,000.00
ATTORNEY-GENERAL.....	1,573,000.00	301,000.00	1,272,000.00
EDUCATION.....	1,596,000.00	.....	1,596,000.00
HEALTH.....	2,033,000.00	20,000.00	2,013,000.00
HIGHWAYS:			
Main Office and Branch.....	10,000.00	.....	10,000.00
Gasoline Tax Branch.....	52,500,000.00	.....	52,500,000.00
Miscellaneous Permits Branch.....	120,000.00	.....	120,000.00
Motor Vehicles Branch.....	15,000,000.00	.....	15,000,000.00
	67,630,000.00		67,630,000.00
INSURANCE.....	254,000.00	.....	254,000.00
LABOUR.....	195,000.00	9,000.00	186,000.00
LANDS AND FORESTS.....	10,850,000.00	.....	10,850,000.00
MINES.....	2,946,000.00	8,000.00	2,938,000.00
MUNICIPAL AFFAIRS.....	251,000.00	.....	251,000.00
PROVINCIAL SECRETARY.....	541,500.00	.....	541,500.00
PROVINCIAL TREASURER:			
Main Office—Subsidy.....	3,155,000.00	.....	3,155,000.00
Interest.....	71,200.00	.....	71,200.00
Liquor Authority Transfer Fees.....	650,000.00	.....	650,000.00
Liquor Control Board.....	32,000,000.00	.....	32,000,000.00
Controller of Revenue:			
Succession Duty.....	15,000,000.00	.....	15,000,000.00
Corporations Tax.....	56,500,000.00	.....	56,500,000.00
Race Tracks.....	2,200,000.00	.....	2,200,000.00
Security Transfer Tax.....	750,000.00	.....	750,000.00
Land Transfer Tax.....	900,000.00	.....	900,000.00
Law Stamps.....	500,000.00	.....	500,000.00
Motion Picture Censorship and Theatre Inspection Branch.....	209,000.00	.....	209,000.00
Province of Ontario Savings Office.....	480,300.00	480,300.00	.....
	\$112,415,500.00	\$ 480,300.00	\$111,935,200.00
PUBLIC WORKS.....	\$ 41,000.00	\$ 3,000.00	\$ 38,000.00
REFORM INSTITUTIONS.....	1,951,000.00	1,281,300.00	669,700.00
MISCELLANEOUS.....	100,000.00	.....	100,000.00
PUBLIC DEBT—Interest, Exchange, etc.....	4,817,300.00	4,817,300.00	.....
	\$208,023,300.00	\$6,919,900.00	\$201,103,400.00

## BUDGET FORECAST OF ORDINARY EXPENDITURE

FISCAL YEAR APRIL 1, 1949—MARCH 31, 1950

DEPARTMENT	Gross Ordinary Expenditure	Application of Revenue to Expenditure	Net Ordinary Expenditure
AGRICULTURE.....	\$ 7,902,267.00	\$ .....	\$ 7,902,267.00
ATTORNEY-GENERAL.....	10,321,465.00	301,000.00	10,020,465.00
EDUCATION.....	49,794,800.00	.....	49,794,800.00
HEALTH.....	24,099,050.00	20,000.00	24,079,050.00
HIGHWAYS.....	33,500,000.00	.....	33,500,000.00
INSURANCE.....	109,700.00	.....	109,700.00
LABOUR.....	963,262.00	9,000.00	954,262.00
LANDS AND FORESTS.....	10,215,600.00	.....	10,215,600.00
LIEUTENANT-GOVERNOR.....	14,500.00	.....	14,500.00
MINES.....	847,700.00	8,000.00	839,700.00
MUNICIPAL AFFAIRS.....	1,366,825.00	.....	1,366,825.00
PLANNING AND DEVELOPMENT.....	2,474,145.00	.....	2,474,145.00
PRIME MINISTER.....	55,650.00	.....	55,650.00
PROVINCIAL AUDITOR.....	210,000.00	.....	210,000.00
PROVINCIAL SECRETARY.....	910,025.00	.....	910,025.00
PROVINCIAL TREASURER.....	3,157,450.00	480,300.00	2,677,150.00
PUBLIC WELFARE.....	22,735,865.00	.....	22,735,865.00
PUBLIC WORKS.....	3,000,000.00	3,000.00	2,997,000.00
REFORM INSTITUTIONS.....	6,345,900.00	1,281,300.00	5,064,600.00
TRAVEL AND PUBLICITY.....	599,550.00	.....	599,550.00
MISCELLANEOUS.....	100,000.00	.....	100,000.00
PUBLIC DEBT—Interest, Exchange, etc....	23,515,800.00	4,817,300.00	18,698,500.00
Sinking Fund Instalments and Railway Aid Certifi- cates.....	5,626,200.00	.....	5,626,200.00
	<u>\$207,865,754.00</u>	<u>\$6,919,900.00</u>	<u>\$200,945,854.00</u>

## BUDGET FORECAST OF CAPITAL RECEIPTS

FISCAL YEAR APRIL 1, 1949—MARCH 31, 1950

DEPARTMENT	Gross Ordinary Receipts	Application of Receipts to Payments	Net Capital Receipts
HIGHWAYS.....	\$ 305,000.00	\$ .....	\$ 305,000.00
LABOUR.....	5,500,000.00	.....	5,500,000.00
LANDS AND FORESTS.....	225,000.00	.....	225,000.00
MINES.....	45,000.00	.....	45,000.00
PROVINCIAL SECRETARY.....	3,868,000.00	.....	3,868,000.00
PROVINCIAL TREASURER.....	26,372,650.00	.....	26,372,650.00
PUBLIC WELFARE.....	23,009,578.00	23,009,578.00	.....
	<u>\$59,325,228.00</u>	<u>\$23,009,578.00</u>	<u>\$36,315,650.00</u>

## BUDGET FORECAST OF CAPITAL PAYMENTS

FISCAL YEAR APRIL 1, 1949—MARCH 31, 1950

DEPARTMENT	Gross Capital Payments	Application of Receipts to Payments	Net Capital Payments
AGRICULTURE.....	\$14,050,000.00	\$ .....	\$14,050,000.00
HEALTH.....	13,775,000.00	.....	13,775,000.00
HIGHWAYS.....	35,500,000.00	.....	35,500,000.00
LABOUR.....	5,500,000.00	.....	5,500,000.00
LANDS AND FORESTS.....	4,630,000.00	.....	4,630,000.00
PROVINCIAL SECRETARY.....	1,300,000.00	.....	1,300,000.00
PROVINCIAL TREASURER.....	2,387,700.00	.....	2,387,700.00
PUBLIC WELFARE.....	23,009,578.00	23,009,578.00	.....
PUBLIC WORKS.....	8,500,000.00	.....	8,500,000.00
MISCELLANEOUS.....	150,000.00	.....	150,000.00
	<u>\$108,802,278.00</u>	<u>\$23,009,578.00</u>	<u>\$85,792,700.00</u>

The following Bills were severally introduced and read the first time:—

Bill (No. 107), intituled, "The Fire Departments Act, 1949." *Mr. Blackwell.*

*Ordered,* That the Bill be read the second time on Monday next.

Bill (No. 108), intituled, "The Police Act, 1949." *Mr. Blackwell.*

*Ordered,* That the Bill be read the second time on Monday next.

Bill (No. 109), intituled, "An Act to amend The Highway Improvement Act." *Mr. Doucett.*

*Ordered,* That the Bill be read the second time on Monday next.

Bill (No. 110), intituled, "The Homes for the Aged Act, 1949." *Mr. Goodfellow.*

*Ordered,* That the Bill be read the second time on Monday next.

Bill (No. 111), intituled, "An Act to amend The Children's Protection Act." *Mr. Goodfellow.*

*Ordered,* That the Bill be read the second time on Monday next.

Bill (No. 112), intituled, "An Act to amend The Succession Duty Act, 1939." *Mr. Frost.*

*Ordered,* That the Bill be read the second time on Monday next.

Bill (No. 113), intituled, "An Act to amend The Provincial Loans Act." *Mr. Frost.*

*Ordered*, That the Bill be read the second time on Monday next.

Bill (No. 114), intituled, "An Act to suspend The Income Tax Act (Ontario)."  
*Mr. Frost.*

*Ordered*, That the Bill be read the second time on Monday next.

Bill (No. 115), intituled, "An Act to amend The Corporations Tax Act, 1939." *Mr. Frost.*

*Ordered*, That the Bill be read the second time on Monday next.

Bill (No. 116), intituled, "An Act to amend The Athletics Control Act, 1947."  
*Mr. Frost.*

*Ordered*, That the Bill be read the second time on Monday next.

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The House then adjourned at 3.35 p.m.

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## MONDAY, MARCH 7TH, 1949

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PRAYERS.

3 O'CLOCK P.M.

The following Bills were severally read the third time and were passed:—

Bill (No. 59), The Warble-fly Control Act, 1949.

Bill (No. 61), An Act to amend The Farm Products Marketing Act, 1946.

Bill (No. 62), The Farm Products Containers Act, 1949.

Bill (No. 51), An Act to amend The Deserted Wives' and Children's Maintenance Act.

Bill (No. 54), An Act to amend The Judicature Act.

Bill (No. 72), The Official Notices Publication Act, 1949.

Bill (No. 73), An Act to amend The Public Hospitals Act.

Bill (No. 74), An Act to amend The Ontario Northland Transportation Commission Act.

Bill (No. 75), An Act to amend The Water Powers Regulation Act.

Bill (No. 76), An Act to amend The Cullers Act.

Bill (No. 77), An Act to amend The Planning Act, 1946.

Bill (No. 85), An Act to amend The Legislative Assembly Act.

Bill (No. 87), An Act to amend The Agricultural Development Finance Act.

Bill (No. 88), An Act to amend The Agricultural Development Act.

Bill (No. 92), An Act to amend The Private Sanitaria Act.

Bill (No. 94), The Mills Licensing Act, 1949.

Bill (No. 95), The Territorial Division Act, 1949.

Bill (No. 96), An Act to amend The Juvenile and Family Courts Act.

Bill (No. 97), An Act respecting Certain Contracts that have become Impossible of Performance or have been Otherwise Frustrated.

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The following Bills were severally read the second time:—

Bill (No. 1), An Act respecting The Federation for Community Service of Toronto.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 2), An Act respecting The Mount McKay and Kakabeka Falls Railway Company.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 3), An Act respecting The Incorporated Synod of the Diocese of Toronto.

Referred to a Committee of the Whole House to-morrow.

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The Order of the Day for the second reading of Bill (No. 4), An Act respecting Cottam Farmers Limited, having been read,

Mr. Murdoch moved that the Bill be now read a second time, and, a debate arising, after some time the Motion having been put was carried on the following Division:—

## YEAS

Allen	Hamilton	Nault
Blackwell	Hanna	Nixon
Cathcart	Harvey	Parry
Cecile	(Nipissing)	Patrick
Challies	Hunt	Porter
Chartrand	Janes	Pringle
Daley	Johnston	Pryde
Dempsey	(Parry Sound)	Rea
Dent	Johnston	Reynolds
Doucett	(Simcoe Centre)	Robson
Downer	Kelley	Sandercock
Dunbar	Kennedy	Scott
Edwards	Mackenzie	(Peterborough)
Frost	Martin	Thomas
Fullerton	Morrow	(Elgin)
Gemmell	Murdoch	Villeneuve
Goodfellow	McDonald	Walker
Griesinger	McMillan	Welsh
Hall	McPhee	White—52

## NAYS

Calder	Jolliffe	Scott
Dennison	Leavens	(Beaches)
Dowling	MacLeod	Taylor
Easton	Macphail	Temple
Ellis	Millard	Thomas
Fell	McEwing	(Ontario)
Foote	Park	Thornberry
Foster	Robinson	Walters
Isley	Salsberg	Wisner—25

and the Bill was accordingly read the second time and referred to a Committee of the Whole House to-morrow.

The following Bills were severally read the second time:—

Bill (No. 6), An Act respecting the Township of Scarborough.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 7), An Act respecting Wycliffe College.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 15), An Act respecting The Incorporated Synod of the Diocese of Ontario.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 8), An Act to establish the Frontenac High School District.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 9), An Act respecting l'Institut Jeanne d'Arc.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 12), An Act respecting the City of Chatham.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 13), An Act respecting The Hospital for Sick Children.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 14), An Act respecting the City of Belleville.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 20), An Act respecting McMaster University.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 26), An Act to incorporate the Ontario Co-operative Credit Society.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 102), An Act to amend The Wolf and Bear Bounty Act, 1946.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 103), The Loan and Trust Corporations Act, 1949.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 104), An Act to amend The Assessment Act.

Referred to the Committee on Municipal Law.

Bill (No. 105), An Act to amend The Presqu'ile Park Act.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 106), An Act to amend The Long Point Park Act.

Referred to a Committee of the Whole House to-morrow.



The House resolved itself into a Committee to consider certain Bills, and, after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Patrick reported,

That the Committee had directed him to report the following Bill without amendment:—

Bill (No. 99), An Act to amend The Matrimonial Causes Act.

and to report the following Bill with certain amendments:—

Bill (No. 60), An Act to amend The Credit Unions Act, 1940.

*Ordered*, That the Bills reported be severally read the third time to-morrow.

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The Provincial Secretary presented to the House, by command of the Honourable the Lieutenant-Governor:—

Sixty-second Annual Report of the Niagara Parks Commission for the year ending October 31st, 1948. (*Sessional Papers No. 6.*)

Also, Report of the Minister of Agriculture, Ontario, for the year ending March 31st, 1948. (*Sessional Papers No. 21.*)

Also, Annual Report of The Milk Control Board of Ontario for the year ending December 31st, 1948. (*Sessional Papers No. 38.*)

Also, Report of the Ontario Stock Yards Board for the year ending June 30th, 1948. (*Sessional Papers No. 46.*)

Also, Report of the Ontario Food Terminal Board for the year ending December 31st, 1948. (*Sessional Papers No. 48.*)

Also, Report of Loans made under The Co-operative Marketing Loan Act for the year ending December 31st, 1948. (*Sessional Papers No. 47.*)

Also, Report of the Ontario Agricultural College and Experimental Farm for the year ending March 31, 1946. (*Sessional Papers No. 44.*)

Also, Report of the Ontario Agricultural College and Experimental Farm for the years ending March 31st, 1947, and March 31st, 1948. (*Sessional Papers No. 45.*)

Also, Annual Report of the Statistics Branch, Department of Agriculture for the year ending December 31st, 1947. (*Sessional Papers No. 22.*)

Also, Annual Report of the Department of Reform Institutions, Province of Ontario, for the year ending March 31st, 1948. Part I—Reformatories, Industrial Farms, Common Gaols. (*Sessional Papers No. 18.*)

Also, Annual Report of the Department of Reform Institutions, Province of Ontario, for the year ending March 31st, 1948. Part II—Training Schools. (*Sessional Papers No. 25.*)

Also, Forty-third Annual Report of the Ontario Municipal Board to December 31st, 1948. (*Sessional Papers No. 24.*)

Also, Report of The Workmen's Compensation Board of Ontario for the year 1948. (*Sessional Papers No. 28.*)

Also, 31st Annual Report of the Civil Service Commissioner for Ontario for the year ending March 31st, 1948. (*Sessional Papers No. 37.*)

Also, 28th Annual Report of the Public Service Superannuation Board of the Province of Ontario for the year ending March 31st, 1948. (*Sessional Papers No. 36.*)

The House then adjourned at 4.25 p.m.

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## TUESDAY, MARCH 8TH, 1949

PRAYERS.

3 O'CLOCK P.M.

Mr. Cathcart, from the Standing Committee on Private Bills, presented its Third Report which was read as follows and adopted.

Your Committee begs to report the following Bills without amendment:—

Bill (No. 19), An Act to incorporate the Village of Wasaga Beach.

Bill (No. 34), An Act respecting Canada Comforter Company Limited.

Your Committee begs to report the following Bills with certain amendments:—

Bill (No. 16), An Act respecting the City of Peterborough.

Bill (No. 18), An Act respecting the Cornwall Street Railway, Light & Power Company, Limited.

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On motion by Mr. Oliver, seconded by Mr. Nixon,

*Ordered*, That there be laid before this House a Return showing: All Orders-in-Council passed since April 1st, 1948, under *The Cheese and Hog Subsidy Act*.

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The following Bill was introduced and read the first time:—

Bill (No. 117), intituled, "An Act respecting The Sandwich, Windsor and Amherstburg Railway." *Mr. Griesinger.*

*Ordered*, That the Bill be read the second time to-morrow.

Mr. Foster asked the following Question (No. 2):—

1. On what date was major construction work stopped on the King's Highway No. 21, between Wiarton and Tobermory. 2. Why was such work stopped on such date. 3. How soon will such work be resumed between those points on that highway.

The Minister of Highways replied as follows:—

1. Major construction completed September 29th, 1948. 2. Answered by 1. 3. Answered by 1.

NOTE: The highway in question is No. 6, not No. 21.

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Mr. Foster asked the following Question (No. 12):—

1. What was the total cost to any and all Departments of Government of materials, labour, etc., for the erection of the two information booths in the main lobby of these Parliament Buildings.

The Minister of Public Works replied as follows:—

1. \$6,892.94.

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Mr. Temple asked the following Question (No. 14):—

How many banquet or entertainment permits were issued by the Liquor Licence Board during each of the years 1946, 1947 and 1948 in respect of premises situated in each of those areas of western Toronto and northern Toronto in which licencing of premises is forbidden under Section 67 or Section 68 of *The Liquor Licence Act, 1946*.

The Attorney-General replied as follows:—

	Western Toronto	Northern Toronto
1946.....	None	None
1947.....	14	11
1948.....	44	47

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Mr. Temple asked the following Question (No. 15):—

1. How many licences issued under *The Liquor Licence Act, 1946* were in force on December 31st, 1948. 2. How many of such licences were (a) dining lounge licences; (b) dining room licences; (c) lounge licences; (d) public house licences for the sale and consumption of beer in premises to which men only are admitted; (e) public house licences for the sale and consumption of beer in premises to which women only or men and women are admitted. 3. What was

the number of: (a) hotels or inns; (b) taverns; (c) restaurants; (d) public houses; (e) clubs; (f) military messes; (g) railway cars; (h) steamships; in respect of which such licences were in force on December 31st, 1948. 4. Since the establishment of the Liquor Licence Board, how many licences have been issued in respect of premises which were not previously licenced. 5. How many licences were in effect immediately prior to the establishment of the Liquor Licence Board.

The Attorney-General replied as follows:—

1. 4,148 licences, operating in 1,819 establishments.

2. (a) Dining Lounge Licences.....	296
(b) Dining Room Licences.....	887
(c) Lounge Licences.....	143
(d) Public House Licences (Men).....	1,531
(e) Public House Licences (Men and Women).....	1,291
	<hr/>
	4,148

3. (a) Hotels or Inns.....	847
(b) Taverns.....	121
(c) Restaurants.....	13
(d) Public Houses.....	382
(e) Clubs.....	350
(f) Military Messes.....	100
(g) Railway Cars.....	....
(h) Steamships.....	6
	<hr/>
	1,819

4. 340 licences, operating in 198 establishments.

5. Strictly speaking "none"—previous to this, Board "authorities" were issued and only one to each place; that is, one to each hotel, club, etc., as the case may have been. However, as of December 31st, 1946, there were in operation:—

Hotels.....	1,240
Clubs.....	289
Military Messes.....	136
Railway Cars.....	....
Steamships.....	8
	<hr/>
	1,673

Mr. McEwing asked the following Question (No. 29):—

How many persons were members of the Ontario Civil Service: (a) Permanent staff; (b) Temporary staff, on January 31st, 1949.

The Provincial Secretary replied as follows:—

(a) 9,620; (b) 2,852.

Mr. Isley asked the following Question (No. 41):—

How many surveyed water power sites remain undeveloped, and what is the estimated potential horsepower in each case, on the following rivers in Southern Ontario: (a) French; (b) Magnetawan; (c) Ottawa; (d) Muskoka; (e) Oxtongue; (f) Bonnechere; (g) Madawaska; (h) Mississippi; (i) Rideau.

The Minister of Lands and Forests replied as follows:—

The estimates of power given herewith have been made by the Dominion Water and Power Bureau of the Department of Mines and Resources at Ottawa, in co-operation with the Department of Lands and Forests. Data has been secured from the Hydro-Electric Power Commission of Ontario, Ontario Department of Mines, Temiskaming and Northern Ontario Railway Commission and the Geological Survey of Canada.

River	Water Power Site	Est. Capacity at 80% Efficiency		Remarks
		At ordinary minimum flow	At ordinary six months flow	
(a) French . . . . .	Five Mile Rapids . . . .	7,633	20,729	Under consideration by H.E.P.C.
	Dalles . . . . .	5,390	14,633	Near outlet of river.
(b) Magnetawan . . . . .	Ahmic Lake and Kneopple's Rapids . . . .	440	1,288	Former mill site.
	Rapids below Poverty Bay . . . . .	597	1,756	
	Elbow or Seller's Rapids . . . . .	467	1,368	
	Ross's Rapids . . . . .	175	513	
	Cody's Rapids . . . . .	489	1,430	
	Porter's Rapids . . . . .	137	400	
	Upper Burnt Chute . . . .	418	1,223	
	Lower Burnt Chute . . . .	770	2,262	
	Rapids, head of Wawashkesh Lake . . . .	77	226	
	Wawashkesh Lake Dam . . . . .	146	427	
	Canal Rapids . . . . .	664	1,943	
	Rapids and Falls, out- let, Trout Lake . . . . .	180	528	
	Rapids, head of Is- land Lake . . . . .	56	163	
	Three-Snye Rapids and Falls . . . . .	338	991	
	Rapids above C.N.R. bridge . . . . .	268	784	
	Farm Rapids . . . . .	1,499	4,400	
	Chute above Byng Inlet . . . . .	530	1,554	
	Rapids above Byng Inlet . . . . .	405	1,189	

River	Water Power Site	Est. Capacity at 80% Efficiency		Remarks
		At ordinary minimum flow	At ordinary six months flow	
North Branch.	Burks Falls.....	57	192	
South Branch.	Rapids, 1 mile below Sand Lake.....	24	65	
	Rapids, 2½ miles be- low Long Lake....	65	176	
	Rapids, 4 miles be- low Long Lake....	379	1,020	
	Rapids, 5 miles below Long Lake.....	89	240	
(c) Ottawa.....	Fourneau and Cave..	83,363	117,727	Being developed by H.E.P.C.
	Des Joachims.....	180,286	253,432	Being developed by H.E.P.C.
	Paquette and Allu- mette.....	21,820	30,614	
	Rocher Fendu.....	102,582	143,590	51,400 H.P. installed on Quebec side.
	Chenau.....	63,455	88,909	Being developed by H.E.P.C.
	Little Chaudiere....	33,170	46,310	
	Carillon.....	194,100	261,160	
(d) Muskoka.....	Sandy Gray Falls....	1,485	4,465	
	Go Home Rapids....	1,705	5,126	
North Branch.	Falls, 4 miles below Mary Lake.....	105	286	
	Duck Chute.....	147	400	
	High Falls.....	608	1,654	
South Branch.	Baysville.....	262	415	
	Slater's Chute.....	716	1,135	
	Crozier's Chute.....	1,102	1,745	
	Mathiasville.....	1,368	2,166	Being developed by Orillia Water, Light & Power.
(e) Oxtongue.....	2½ miles above Ox- (Tributary tongue Lake of Muskoka) (Gravel Falls)....	281	466	
	1 mile above Ox- tongue Lake (Ragged Falls)....	730	1,213	
	1 mile above Lake of Bays (Marsh Falls)	254	402	
(f) Bonnechere..	High Falls.....	14	22	
	Rabbittail Cascades..	573	993	
	1½ miles below Egan- ville.....	189	314	
	Fourth Chute.....	627	1,045	Under consideration by private com- pany—site applied for.
	First Chute.....	544	905	

River	Water Power Site	Est. Capacity at 80% Efficiency		Remarks
		At ordinary minimum flow	At six months ordinary flow	
(g) Madawaska...	Whitney.....	144	313	
	Rapids, mouth of Poverty River.....	94	205	
	Above Rapid Lake...	116	253	
	Long Rapids.....	682	1,486	
	High Chute, 1½ miles above Amable Creek	237	514	
	Rapids, ⅓ mile be- low Amable Creek.	430	929	
	Rapids, 3½ miles above McAulay Creek.....	331	719	
	Rapids, 2¾ miles above McAulay Creek.....	221	481	
	Fall, 2½ miles above McAulay Creek...	74	160	
	Fall, 2 miles above McAulay Creek...	209	454	
	Rapids, 2 miles above Moore Creek.....	211	458	
	Rapids, 3 miles below Bark Lake.....	879	1,908	
	Rapids, 4½ miles be- low Bark Lake....	1,065	2,320	
	Racket Rapids.....	2,741	5,923	
	Highland Falls.....	2,886	6,232	
	Colton Chute.....	3,622	7,827	20 H.P. developed.
	Mountain Chute....	5,752	12,428	400 H.P. developed.
	Claybank.....	4,342	9,382	
	Arnprior.....	1,496	3,233	
(h) Mississippi....	Below Marble Lake..	56	105	
	King Rapid.....	303	572	
	Otter Rapid.....	191	361	
	Island Rapid.....	487	922	
	Ragged Rapid.....	491	930	
	Playfair.....	220	415	
	Innisville.....	280	610	
	Arkland.....	186	406	
	Appleton.....	469	1,018	
	Blakeney.....	370	807	
(i) Rideau.....	Pakenham.....	398	865	
	Fermoy.....	1	2	
	Smiths Falls.....	174	273	
	Smiths Falls.....	186	291	
	1 mile below Smiths Falls.....	174	273	
	Andrewsville.....	189	296	
	Black Rapids.....	303	475	
	Hogs Back.....	1,527	2,391	

Mr. Thomas (Ontario) asked the following Question (No. 42):—

1. How many contracts for highway construction, repair or maintenance work were let by the Government or the Department of Highways in the months of March, April and May, 1948. 2. How many of such contracts were subsequently cancelled. 3. How many of such cancellations involved work in each of the following electoral districts: (a) Waterloo South; (b) Essex North; (c) Wentworth; (d) Ontario; (e) York West; (f) York East; (g) Temiskaming; (h) Welland; (i) Cochrane South; (j) Sault Ste. Marie; (k) Port Arthur; (l) Grey South.

The Minister of Highways replied as follows:—

1. 104. 2. None. 3. None.

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Mr. Grummett asked the following Question (No. 46):—

1. Since January 1st, 1945, what is the total cost of construction work done on the Lightning River Highway from Matheson towards the Quebec boundary. 2. What is the total mileage of the highway now. 3. How much of the mileage was constructed previous to January 1st, 1945, and how much has been constructed since that date.

The Minister of Highways replied as follows:—

1. \$1,178,906.04. 2. 37 miles. 3. None previous to January 1st, 1945. 37 miles since January 1st, 1945.

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Mr. Oliver asked the following Question (No. 71):—

(a) Who are the members of the Ontario Securities Commission and what is the salary of each; (b) Which member is designated as Chairman.

The Attorney-General replied as follows:—

(a) O. E. Lennox, K.C., \$10,500 per annum; A. S. Marriott, without remuneration; H. C. Rickaby, without remuneration; (b) O. E. Lennox, K.C.

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Mr. MacLeod asked the following Question (No. 74):—

1. How many X-ray units have been installed in Ontario General and Public Hospitals for routine chest X-ray of patients admitted to such institutions, and how many have been purchased by the Province. 2. How many cases of T.B. infection have been detected among patients entering hospitals where such X-ray units have been installed during 1948. 3. What is the approximate cost of such X-ray units. 4. How many cases of Tuberculosis have been discovered



among nurses and other hospital personnel since 1934. 5. Has any compensation been paid to such nurses and other hospital personnel. 6. What would be the total cost of installing X-ray units in all hospitals throughout the Province.

The Minister of Health replied as follows:—

1. 29; None (26 of these Units charged to Federal Tuberculosis Control Grant). 2. No accurate record (reporting of cases discovered commenced January, 1949). 3. \$4,500.00 for camera attachment, \$11,500.00 (maximum) for complete unit. 4. Accurate records not kept prior to 1940, from 1940 to 1948 record of 335 active cases discovered. 5. No. 6. Approximately \$712,000.00.

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Mr. MacLeod asked the following Question (No. 75):—

1. How many homes have been purchased under *The Development of Housing Accommodation Act, 1948*. 2. What has been the average purchase price of such homes. 3. How many applications for loans have been received from families now living in emergency shelters and how many have been granted. 4. How many loans have been made to residents in the following cities: Toronto, Hamilton, Windsor, London, Kitchener, St. Catharines, Oshawa, Fort William, Port Arthur, Sudbury, Timmins, Kingston and Ottawa.

The Minister of Planning and Development replied as follows:—

As of February 28th, 1949: (1) 4,792. (2) \$8,000.00. (3) This information is not available. (4) Toronto, 1,050; Hamilton, 300; Windsor, 65; London, 163; Kitchener, 60; St. Catharines, 90; Oshawa, 50; Fort William, 10; Port Arthur, 15; Sudbury, 40; Timmins, 5; Kingston, 60; Ottawa, 172.

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The following Bills were severally read the third time and were passed:—

Bill (No. 60), An Act to amend The Credit Unions Act, 1940.

Bill (No. 99), An Act to amend The Matrimonial Causes Act.

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The Order of the Day for the resuming the Adjourned Debate on the Motion that the Speaker do now leave the Chair and the House resolve itself into the Committee of Supply, having been read,

The Debate was resumed and, after some time, Mr. Wismer moved, seconded by Mr. Jolliffe,

That the Motion "That Mr. Speaker do now leave the Chair and the House resolve itself into Committee of Supply" be amended by adding thereto the following:—

"This House, however, regrets that the Government have not seen fit to provide for adequate health services such as a prepaid and subsidized hospitalization plan."

And the Debate having continued, after some time it was, on motion by Mr. Porter,

*Ordered*, That the Debate be adjourned until Thursday next.

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The Prime Minister presented to the House:—

Return to an Order of the House, dated the 8th day of March, 1949, That there be laid before this House a Return showing: All Orders-in-Council passed since April 1st, 1948, under *The Cheese and Hog Subsidy Act*. (*Sessional Papers No. 49.*)

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The House then adjourned at 10.55 p.m.

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### WEDNESDAY, MARCH 9TH, 1949

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PRAYERS.

3 O'CLOCK P.M.

The Honourable the Lieutenant-Governor entered the Chamber of the Legislative Assembly and took his seat-upon the Throne.

Mr. Speaker then addressed His Honour as follows:—

*May it please Your Honour:*

The Legislative Assembly of the Province has, at its present Sittings, passed certain Bills to which, on behalf and in the name of the said Assembly, I respectfully request Your Honour's Assent.

The Clerk Assistant then read the titles of the Bills that had passed, as follows:—

Bill (No. 37), The Community Centres Act, 1949.

Bill (No. 38), An Act to amend The Training Schools Act.

Bill (No. 39), An Act to amend The Industrial Standards Act.

Bill (No. 47), An Act to amend The Arbitration Act.

Bill (No. 48), An Act to amend The Coroners Act, 1948.

Bill (No. 49), An Act to amend The County Courts Act.

Bill (No. 50), The Crown Attorneys Act, 1949.

Bill (No. 51), An Act to amend The Deserted Wives' and Children's Maintenance Act.

Bill (No. 52), An Act to amend The Crown Witnesses Act.

Bill (No. 53), An Act to amend The Division Courts Act.

Bill (No. 54), An Act to amend The Judicature Act.

Bill (No. 55), An Act to amend The Limitations Act.

Bill (No. 56), An Act to amend The Public Officers' Fees Act.

Bill (No. 57), An Act to Provide for the Consolidation of the Statutes.

Bill (No. 58), An Act to amend The Summary Convictions Act.

Bill (No. 59), The Warble-fly Control Act, 1949.

Bill (No. 60), An Act to amend The Credit Unions Act, 1940.

Bill (No. 61), An Act to amend The Farm Products Marketing Act, 1946.

Bill (No. 62), The Farm Products Containers Act, 1949.

Bill (No. 63), An Act to amend The Ontario Food Terminal Act, 1946.

Bill (No. 71), An Act to amend The Land Transfer Tax Act.

Bill (No. 72), The Official Notices Publication Act, 1949.

Bill (No. 73), An Act to amend The Public Hospitals Act.

Bill (No. 74), An Act to amend The Ontario Northland Transportation Commission Act.

Bill (No. 75), An Act to amend The Water Powers Regulation Act.

Bill (No. 76), An Act to amend The Cullers Act.

Bill (No. 77), An Act to amend The Planning Act, 1946.

Bill (No. 85), An Act to amend The Legislative Assembly Act.

Bill (No. 87), An Act to amend The Agricultural Development Finance Act.

Bill (No. 88), An Act to amend The Agricultural Development Act.

Bill (No. 92), An Act to amend The Private Sanitaria Act.

Bill (No. 94), The Mills Licensing Act, 1949.

Bill (No. 95), The Territorial Division Act, 1949.

Bill (No. 96), An Act to amend The Juvenile and Family Courts Act.

Bill (No. 97), An Act respecting Certain Contracts that have become Impossible of Performance or have been Otherwise Frustrated.

Bill (No. 99), An Act to amend The Matrimonial Causes Act.

To these Bills the Royal Assent was announced by the Clerk of the Legislative Assembly in the following words:—

In His Majesty's name the Honourable the Lieutenant-Governor doth assent to these Bills.

The House, according to Order, resolved itself into the Committee of Supply.

*(In the Committee)*

*Resolved*, That there be granted to His Majesty, for the services of the fiscal year ending March 31st, 1950, the following sums:—

1. To defray the expenses of the Main Office, Department of Agriculture.....	\$ 563,090.00
2. To defray the expenses of the Agricultural and Horticultural Societies Branch.....	732,600.00
3. To defray the expenses of the Agricultural Representatives Branch.....	768,062.00
4. To defray the expenses of the Co-operation and Markets Branch.....	44,260.00
5. To defray the expenses of the Crops, Seeds and Weeds Branch..	131,865.00
6. To defray the expenses of the Dairy Branch.....	671,420.00
7. To defray the expenses of the Farm Economics Branch.....	61,592.00
8. To defray the expenses of the Fruit Branch.....	205,985.00
9. To defray the expenses of the Live Stock Branch.....	547,365.00
10. To defray the expenses of the Milk Control Board.....	78,740.00
11. To defray the expenses of the Northern Ontario Branch.....	800,000.00
12. To defray the expenses of the Statistics and Publications Branch.....	73,740.00
13. To defray the expenses of the Women's Institute Branch and Home Economics Service.....	193,010.00
14. To defray the expenses of the Demonstration Farm, New Liskeard.....	23,470.00
15. To defray the expenses of the Horticultural Experiment Station, Vineland.....	144,860.00
16. To defray the expenses of the Kemptville Agricultural School..	190,968.00
17. To defray the expenses of the Ontario Agricultural College, Guelph.....	2,038,250.00

18. To defray the expenses of the Ontario Veterinary College, Guelph.....	\$ 567,350.00
19. To defray the expenses of the Western Ontario Experimental Farm.....	55,640.00
20. To defray the expenses of the Fruit Branch.....	250,000.00

Mr. Speaker resumed the Chair; and Mr. Patrick reported, That the Committee had come to several Resolutions; also, That the Committee had directed him to ask for leave to sit again.

*Ordered*, That the Report be received to-morrow.

*Resolved*, That the Committee have leave to sit again to-morrow.

The House then adjourned at 6.05 p.m.

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THURSDAY, MARCH 10TH, 1949

PRAYERS.

3 O'CLOCK P.M.

Mr. Rea, from the Standing Committee on Standing Orders, presented its Second and Final Report, which was read, as follows, and adopted:—

Your Committee has considered the following Petitions and finds the Notices as published in each case sufficient:—

Of the Corporation of the Township of Kingston and the Board of School Trustees of the Township School Area of Kingston, No. 1, praying that an Act may pass authorizing the said Corporation and the said Trustees to enter into an agreement with His Majesty in right of the Dominion of Canada represented by Wartime Housing Limited terminating the existing agreement and substituting new provisions in respect of taxes, financing and otherwise affecting the housing area covered by the said agreement; providing for the erection of a school for the said housing area, and for other purposes.

Of Hope Harris Millholland, Floretta Ruth Sleeth, Chester Holdsworth Belton, William Gordon Link, et al, praying that an Act may pass incorporating the Sarnia Young Men's and Young Women's Christian Association as a body corporate and politic.

Of the Corporation of the City of Toronto, praying that an Act may pass validating an agreement between the said Corporation and The Toronto Transportation Commission for transferring the Island Ferry Service and equipment to the said Commission and for other purposes.

Of the Corporation of Canadian National Exhibition Association, praying that an Act may pass amending the Canadian National Exhibition Act, 1948, changing the membership of the General, Manufacturing and Liberal Arts sections of the said Association.

Of the Corporation of the Township of East York, praying that an Act may pass confirming the title of the said Corporation in the lands shown in a certain plan dated the 25th day of January, 1946, and registered in the Registry Office for the East and West Riding of the County of York on the 14th day of May, 1946, as Plan No. 3281.

Of the Corporation of the City of Owen Sound, praying that an Act may pass amending the City of Owen Sound Act, 1938, making certain changes in the membership of the Civic Auditorium Commission.

Of the Corporation of the City of Ottawa, praying that an Act may pass amending The City of Ottawa Act, 1941, as amended by The City of Ottawa Act, 1948, to defer the time of entry by the said Corporation on certain expropriated lands from the 1st day of January, 1950, to the 1st day of January, 1955.

Of the Corporation of the City of St. Catharines, praying that an Act may pass confirming certain By-laws of the said Corporation guaranteeing debentures of the St. Catharines General Hospital; granting aid to the Religious Hospitallers of St. Joseph of Hotel Dieu and for other purposes.

Of the Corporation of the City of London, praying that an Act may pass authorizing a By-law to provide for the purchase of the undertakings and assets of the London Street Railway Company and for other purposes.

Of the Corporation of the Township of Sandwich West, praying that an Act may pass authorizing the Corporation to undertake by By-law the cleaning out of ditches and drains; to enter upon lands for such purposes and to levy the cost thereof by a special rate; also, amending Section 2 of The Township of Sandwich West Act, 1939, by increasing the amount of \$1.50 authorized therein to be levied for taxes to \$2.50.

Of the Corporation of the Town of Tecumseh, praying that an Act may pass amending The Town of Tecumseh Act, 1927, by changing the present constitution of the Town Council of Mayor, Reeve and three Councillors to Mayor, Reeve, Deputy Reeve and two Councillors.

Your Committee would recommend that the fees and penalties, if any, less the cost of printing, be remitted with respect to the Petitions of the Corporations of the Township of Toronto, the Township of Whitney and the Village of Bobcaygeon, the said Petitions having been withdrawn by the Petitioners.

*Ordered*, That the fees and penalties, if any, less the cost of printing, be remitted with respect to the Petitions of the Corporations of the Township of Toronto, the Township of Whitney and the Village of Bobcaygeon, the said Petitions having been withdrawn by the Petitioners.

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The following Bills were severally introduced and read the first time:—

Bill (No. 11), intituled, "An Act respecting the City of London." *Mr. Patrick.*

Referred to the Committee on Private Bills.

Bill (No. 21), intituled, "An Act respecting the Township of Kingston." *Mr. Pringle.*

Referred to the Committee on Private Bills.

Bill (No. 22), intituled, "An Act respecting the Sarnia Young Men's and Young Women's Christian Association." *Mr. Cathcart.*

Referred to the Committee on Private Bills.

Bill (No. 23), intituled, "An Act respecting the City of Toronto." *Mr. Rea.*

Referred to the Committee on Private Bills.

Bill (No. 24), intituled, "An Act respecting the Canadian National Exhibition Association." *Mr. Rea.*

Referred to the Committee on Private Bills.

Bill (No. 27), intituled, "An Act respecting the Town of Tecumseh." *Mr. Murdoch.*

Referred to the Committee on Private Bills.

Bill (No. 28), intituled, "An Act respecting the Township of East York." *Miss Macphail.*

Referred to the Committee on Private Bills.

Bill (No. 30), intituled, "An Act respecting the City of Owen Sound." *Mr. Phillips.*

Referred to the Committee on Private Bills.

Bill (No. 31), intituled, "An Act respecting the City of Ottawa." *Mr. Chartrand.*

Referred to the Committee on Private Bills.

Bill (No. 32), intituled, "An Act respecting the Township of Sandwich West." *Mr. Murdoch.*

Referred to the Committee on Private Bills.

Bill (No. 33), intituled, "An Act respecting the City of St. Catharines." *Mr. Martin.*

Referred to the Committee on Private Bills.

Bill (No. 35), intituled, "An Act to amend The Liquor Licence Act, 1946." *Mr. MacLeod.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 118), intituled, "An Act to amend The Tile Drainage Act." *Mr. Doucett.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 119), intituled, "An Act to amend The Ditches and Watercourses Act." *Mr. Doucett.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 120), intituled, "An Act to amend The Municipal Drainage Act." *Mr. Doucett.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 121), intituled, "An Act to amend The Provincial Aid to Drainage Act." *Mr. Doucett.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 122), intituled, "An Act to amend The Power Commission Act." *Mr. Challies.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 123), intituled, "An Act to amend The Conservation Authorities Act, 1946." *Mr. Welsh.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 36), intituled, "An Act to amend The Workmen's Compensation Act." *Mr. Isley.*

*Ordered,* That the Bill be read the second time to-morrow.

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Mr. Walker asked the following Question (No. 9):—

1. How many applications have been made for assistance under the Housing Legislation of 1948. 2. How many such applications were granted. 3. What has been the average amount of the assistance made under security of second mortgage.

The Minister of Planning and Development replied as follows:—

1. 5,507. 2. 4,512. 3. \$1,090.00.

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Mr. McEwing asked the following Question (No. 18):—

1. What portion of the original Union Stock Yard properties have been sold since the Government acquisition of same. 2. What were the prices received.



3. What financial benefit has it been to the Ontario farmer to have the Yards operated under Government supervision.

The Minister of Agriculture replied as follows:—

1. 8.5%. 2. \$156,384.50. 3. Since 20th November, 1944, under Government operation increases in costs of labour and materials have been absorbed by the Board instead of passing such increases on to farmers using the Stock Yards.

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Mr. Millard asked the following Question (No. 22):—

1. How many claims have been received in respect of damage done to properties on Park Lawn Road in Etobicoke Township in connection with the construction of the Ontario Food Terminal. 2. On what dates were the claims received. 3. How many of said claims have been settled. 4. If any claims have not yet been settled, what steps have been taken with a view to their settlement.

The Minister of Agriculture replied as follows:—

1. None. 2. Answered in 1. 3. Answered in 1. 4. Answered in 1.

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Mr. Park asked the following Question (No. 23):—

1. In the year 1948, how many permits under The Hours of Work and Vacations with Pay Act were issued by the Industry and Labour Board, permitting overtime work. 2. What was the total number of man-hours of overtime work so authorized during 1948. 3. How many companies received more than one such permit during 1948.

The Minister of Labour replied as follows:—

1. 1,060. 2. Aggregate calculation not possible. Permits provided maximum overtime for each employee in an industrial undertaking irrespective of the number of employees. Total overtime provided by permit not always worked by employee. 3. 17.

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Mr. Calder asked the following Question (No. 25):—

1. What steps have been taken to bring to the attention of students and the general public the Bursaries available for higher education under Dominion-Provincial grant. 2. What amount of money has been paid out by the Province of Ontario on account of such grants in each of the last five years.

The Minister of Education replied as follows:—

1. (a) Copies of the Announcement relating to Student-Aid together with forms of application are mailed each year to the Principals of the Secondary Schools in Ontario, the Registrars of the Ontario Universities, the Principals of the Normal Schools, and other institutions for which the awards are available;

(b) The benefits available under the programme are brought to the attention of the Departmental Inspectors at the fall meetings. The Inspectors, in turn, bring the awards to the attention of principals and students during the ensuing school year; (c) Articles outlining the Student-Aid programme have appeared in (i) The Bulletin, April, 1946, "Student-Aid in Ontario", (ii) The Bulletin, April, 1947, "Dominion-Provincial Student-Aid Scholarships and Bursaries", (iii) Ontario Government Services, May 31st, 1948, "Bursaries to Worthy Students". 2. The following is a statement of the amounts paid since the inception of the Student-Aid Programme in 1943:

Academic Year	Amount Paid Out by the Province
1943-1944.....	\$ 45,950
1944-1945.....	134,448
1945-1946.....	137,415
1946-1947.....	161,670
1947-1948.....	199,760
1948-1949 (incomplete—to date).....	199,103

Mr. Newman asked the following Question (No. 31):—

What distribution has been made of the \$180,000 provided in Vote 121, Item 10, of the Department of Municipal Affairs Estimates for 1948-9 to provide a subsidy to mining municipalities. (Give names of municipalities and amounts paid to each.)

The Minister of Municipal Affairs replied as follows:—

SUBSIDY DISTRIBUTED TO MINING MUNICIPALITIES DURING  
CALENDAR YEAR 1948

	From Vote 124, Item 10, \$150,000 Provincial Year 1947-1948	From Vote 121, Item 10, \$180,000 Provincial Year 1948-1949	Total
<b>TOWNS:</b>			
Geraldton.....		\$ 10,000.00	\$ 10,000.00
Larder Lake.....		6,000.00	6,000.00
Timmins.....	\$11,080.52	25,682.43	36,762.95
<b>TOWNSHIPS:</b>			
Matachewan.....		2,462.11	2,462.11
Teck.....	11,334.82	60,222.46	71,557.28
Tisdale.....	12,604.13	33,084.53	45,688.66
Whitney.....	5,766.86	14,224.57	19,991.43
<b>IMPROVEMENT DISTRICTS:</b>			
Beardmore.....		2,238.19	2,238.19
<b>Total paid in calendar year 1948....</b>	<b>\$40,786.33</b>	<b>\$153,914.29</b>	<b>\$194,700.62</b>

Mr. Dennison asked the following Question (No. 57):—

1. Is the Ontario Municipal Health Services Act, 1944, still in force. 2. Who are the members of the Ontario Municipal Health Services Board, provided for under that Act. 3. What has been the total expenses of the Board to date, including the cost of printing reports. 4. What is the per diem remuneration of the Chairman and members of the Board, and what allowances have been paid them for expenses. 5. What municipalities have entered into agreements with the Board for the provision of medical, hospital, or other health services. 6. On what date did the Board last meet.

The Minister of Health replied as follows:—

1. Yes. 2. Mr. K. Betzner, Mr. J. H. W. Bower, Mr. R. E. W. Lawrason, Mr. E. E. Woollon, Mr. H. M. Corbett, Miss F. H. H. Emory, Mrs. R. J. Marshall, Dr. J. E. Carson, Dr. D. W. Gullett, Dr. K. G. Gray. 3. \$3,019.28. 4. \$20.00 per diem, \$1,523.31. 5. None. 6. April 10th, 1945.

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Mr. Houck asked the following Question (No. 61):—

What has been the total amount expended on repairs and alterations to the Park Refectory at Niagara Falls since August, 1943.

The Minister of Labour replied as follows:—

\$56,669.00.

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Mr. Houck asked the following Question (No. 66):—

What has been the total cost since August 17th, 1943, for the entertainment of guests at the Niagara Park Refectory.

The Minister of Labour replied as follows:—

\$9,511.00. (This figure includes cost of meals served to the armed forces during the war.)

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Mr. Houck asked the following Question (No. 67):—

(a) Are Niagara Falls Park Commissioners assessed for rooms at the Refectory or are these complimentary; (b) If so, what is the rate per day, including meals.

The Minister of Labour replied as follows:—

(a) Complimentary; (b) Answered by (a).

Mr. Oliver asked the following Question (No. 72):—

1. How many miles of County roads were absorbed into the Provincial highway system since April 1st, 1948. Give locations.

The Minister of Highways replied as follows:—

1. Nil.

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Mr. Scott (Beaches) asked the following Question (No. 76):—

(a) Has the Minister received representations from the President or the Board of Governors of the University of Toronto asking that he receive a delegation from the Student's Administrative Council to discuss the question of university fees; (b) If so, have arrangements been made to hear such a delegation.

The Minister of Education replied as follows:—

Following the receipt of a letter and brief on the question of fees from the President of the University of Toronto, a deputation representing the Students' Administrative Council was received by the Minister of Education on Monday, February 28th.

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Mr. Baxter asked the following Question (No. 79):—

(a) How many commercial fishing licenses of all types were issued for Prince Edward and Lennox Counties, including the waters of the Bay of Quinte and Lake Ontario adjacent thereto, during the years 1945-6, 1946-7, 1947-8 and 1948-9 to date; (b) State how many were issued for East and West Lakes since January 1st, 1948.

The Minister of Lands and Forests replied as follows:—

(a) Fishing licences in eastern end of Lake Ontario in the Prince Edward-Lennox Riding—

1945.....	214
1946.....	233
1947.....	225
1948.....	253
1949.....	203

(b) Licences issued for East and West Lakes—

	East Lake	West Lake
1948.....	6	11
1949.....	5	6

The licences issued for 1949 are as of March 4th.

The Order of the Day for resuming the Adjourned Debate on the Amendment to the Motion that Mr. Speaker do now leave the Chair, and that the House resolve itself into the Committee of Supply, having been read,

The Debate was resumed, and after some time it was on motion by Mr. Nixon,

*Ordered*, That the Debate be adjourned until Tuesday next.

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The House then adjourned at 10.50 p.m.

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FRIDAY, MARCH 11TH, 1949

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PRAYERS.

1.30 O'CLOCK P.M.

The following Bills were severally introduced and read the first time:—

Bill (No. 124), intituled, "An Act respecting Women's Wage Rates." *Mr. Park.*

*Ordered*, That the Bill be read the second time on Monday next.

Bill (No. 125), intituled, "An Act to amend The Companies Act." *Mr. Porter.*

*Ordered*, That the Bill be read the second time on Monday next.

Bill (No. 126), intituled, "An Act to amend The Marriage Act." *Mr. Dunbar.*

*Ordered*, That the Bill be read the second time on Monday next.

Bill (No. 127), intituled, "An Act to amend The Telephone Act." *Mr. Dunbar.*

*Ordered*, That the Bill be read the second time on Monday next.

Bill (No. 128), intituled, "An Act for quieting doubts affecting the Legal Status and Boundaries of Municipalities." *Mr. Dunbar.*

*Ordered*, That the Bill be read the second time on Monday next.

Bill (No. 129), intituled, "An Act to amend The Vital Statistics Act, 1948." *Mr. Dunbar.*

*Ordered*, That the Bill be read the second time on Monday next.

Bill (No. 130), intituled, "An Act to amend The Public Utilities Act."  
*Mr. Dunbar.*

*Ordered,* That the Bill be read the second time on Monday next.

Bill (No. 131), intituled; "An Act to amend The Department of Municipal Affairs Act." *Mr. Dunbar.*

*Ordered,* That the Bill be read the second time on Monday next.

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The following Bills were severally read the second time:—

Bill (No. 117), An Act respecting The Sandwich, Windsor and Amherstburg Railway

Referred to a Committee of the Whole House on Monday next.

Bill (No. 116), An Act to amend The Athletics Control Act, 1947.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 115), An Act to amend The Corporations Tax Act, 1939.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 114), An Act to suspend The Income Tax Act (Ontario).

Referred to a Committee of the Whole House on Monday next.

Bill (No. 113), An Act to amend The Provincial Loans Act.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 112), An Act to amend The Succession Duty Act, 1939.

Referred to a Committee of the Whole House on Monday next.

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The House resolved itself into a Committee to consider certain Resolutions and certain Bills.

Mr. Kennedy acquainted the House that the Honourable the Lieutenant-Governor, having been informed of the subject matter of the several Resolutions, recommends them to the consideration of the House.

After some time, Mr. Speaker resumed the Chair, and Mr. Patrick reported that the Committee had come to certain Resolutions as follows:—

*Resolved,*

That subsidies may be paid to municipalities to assist in the organization and operation of municipal fire departments under the provisions of Bill (No. 107), *The Fire Departments Act, 1949*.

*Resolved,*

That subsidies may be paid to municipalities to assist in the operation of municipal police departments under the provisions of Bill (No. 108), *The Police Act, 1949*.

*Resolved*

That subsidies may be paid to municipalities in respect to expenditures made for the improvement of roads under the provisions of Bill (No. 109), *An Act to amend The Highway Improvement Act*.

*Resolved,*

That subsidies may be paid to assist in establishing, erecting and maintaining homes for the aged under Bill (No. 110), *The Homes for the Aged Act, 1949*.

*Resolved,*

That subsidies may be paid to municipalities in respect of expenditures made for the maintenance of children committed to the custody of a children's aid society, and that grants may be made to children's aid societies under the provisions of Bill (No. 111), *An Act to amend The Children's Protection Act*.

*Resolved,*

That,

- (a) certain religious organizations shall be exempt from succession duty; and
- (b) preferred beneficiaries shall be exempt from succession duty where the aggregate value of the estate does not exceed \$50,000; and
- (c) the payment of succession duty by any person who benefits under an annuity, term of years, life estate or income created by will may be paid in certain equal annual instalments,

as provided by Bill (No. 112), *An Act to amend The Succession Duty Act, 1939*.

*Resolved,*

That the Lieutenant-Governor in Council may raise money by the issue and sale of debentures and that the principal of such debentures and

the interest thereon may be paid out of the Consolidated Revenue Fund as provided by Bill (No. 113), *An Act to amend The Provincial Loans Act*.

*Resolved,*

That notwithstanding any of the provisions of *The Income Tax Act* (Ontario) and amendments, no tax shall be levied under the said Act on income of the calendar year nineteen hundred and forty-nine as provided by Bill (No. 114), *An Act to Suspend The Income Tax Act* (Ontario).

*Resolved,*

That,

- (a) a deduction may be allowed to all newly incorporated companies that establish head offices in Ontario, equal to the amount of any loss which they sustain from the date of incorporation to the commencement of the fiscal year during which they first earn a profit; and
- (b) all investment companies exempt from tax on income under *The Income Tax Act* (Canada) shall be exempt from tax on income under *The Corporations Tax Act*; and
- (c) certain deductions now allowed for development expenses incurred by mining companies may be broadened,

as provided by Bill (No. 115), *An Act to amend The Corporations Tax Act, 1939*.

*Resolved,*

That every person conducting a professional boxing or wrestling contest or exhibition shall pay to the Minister an amount not less than one per centum and not exceeding five per centum of the gross receipts in respect of such contest or exhibition as shall be determined by the Minister with the approval of the Lieutenant-Governor in Council and that except as aforesaid the tax payable under *The Athletics Control Act, 1947* by persons conducting professional contests or exhibitions be abolished as provided by Bill (No. 116), *An Act to amend The Athletics Control Act, 1947*.

*Resolved,*

That,

- (a) The outstanding capital debt, matured and unmatured, of and owing with respect to the railway, howsoever incurred and by and to whomsoever the same is owing, shall be for all purposes and as to all persons, natural and corporate, fixed and established as of the 30th day of June, 1948; and



- (b) the capital debt so fixed and established shall be assumed, borne, paid and discharged; and
- (c) part of the capital debt which is made the obligation of Ontario shall be borne and paid by Ontario under the guarantee of payment thereof; and
- (d) the bonds and debentures of the railway company and Windsor, respectively, when issued shall be delivered to the Treasurer of Ontario as the absolute property of Ontario or of its assigns in the case of sale thereof or of any portion thereof by Ontario; and
- (e) the railway company shall have power to establish a sinking fund with the Treasurer of Ontario and pay to the Treasurer certain sums of money and the sums so paid may be accepted by the Treasurer who may establish a special account and credit interest on the sum and on the 1st day of April, 1980, the Treasurer may pay out of the Consolidated Revenue Fund the amount at the credit of such special account to the holder of such sinking fund bonds; and
- (f) the railway company shall deposit with the Treasurer of Ontario the aggregate amount of interest falling due on the outstanding, unmatured, guaranteed bonds and the Treasurer shall pay such interest to the holders of such bonds;
- (g) that the seceding municipalities shall be released and discharged from all debts, liabilities and obligations with respect to the railway and railway company and in respect of their collateral debentures and certificates of indebtedness and such debentures and certificates of indebtedness shall be cancelled by the Treasurer of Ontario; and
- (h) when certain debentures are delivered by Windsor to the Treasurer of Ontario the Treasurer shall cancel such debentures and shall receive such sums as are to be paid by Windsor to bring the account into balance,

as provided by Bill (No. 117), *An Act respecting the Sandwich, Windsor and Amherstburg Railway*.

*Resolved,*

That the Lieutenant-Governor in Council may pay out of the Consolidated Revenue Fund twenty per centum of the cost of the construction, improvement or reconstruction of the trunk channels of a drainage work or of embanking or pumping a drainage work, where the cost of the work exceeds \$5,000, as provided in *The Provincial Aid to Drainage Act*, as amended by section 1 of Bill (No. 121), *The Provincial Aid to Drainage Amendment Act, 1949*, and

That the Lieutenant-Governor in Council may, when in his opinion two or more drainage works are so connected as to form in fact one drainage system, consider the works as one drainage work for the purpose of computing the cost of the work and making a grant thereon, as provided in section 2 of the said Bill.

Also, That the Committee had directed him to report the following Bills without amendment:—

Bill (No. 89), The Niagara Parks Act, 1949, except section 14 thereof.

Bill (No. 102), An Act to amend The Wolf and Bear Bounty Act, 1946.

Bill (No. 105), An Act to amend The Presqu'ile Park Act.

Bill (No. 106), An Act to amend The Long Point Park Act.

Bill (No. 1), An Act respecting The Federation for Community Service of Toronto.

Bill (No. 2), An Act respecting The Mount McKay and Kakabeka Falls Railway Company.

Bill (No. 3), An Act respecting The Incorporated Synod of the Diocese of Toronto.

Bill (No. 6), An Act respecting the Township of Scarborough.

Bill (No. 7), An Act respecting Wycliffe College.

Bill (No. 15), An Act respecting the Incorporated Synod of the Diocese of Ontario.

Bill (No. 8), An Act to establish the Frontenac High School District.

Bill (No. 9), An Act respecting l'Institut Jeanne d'Arc.

Bill (No. 12), An Act respecting the City of Chatham.

Bill (No. 13), An Act respecting The Hospital for Sick Children.

Bill (No. 14), An Act respecting the City of Belleville.

Bill (No. 20), An Act respecting McMaster University.

Bill (No. 26), An Act to incorporate the Ontario Co-operative Credit Society.

*Ordered*, That the Report be now received and adopted and that the Bills reported be severally read the third time on Monday next.

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The House then adjourned at 3.40 p.m.

MONDAY, MARCH 14TH, 1949

PRAYERS.

3 O'CLOCK P.M.

Mr. Hunt, from the Standing Committee on Mining, presented its Report which was read as follows and adopted:—

Your Committee begs to report the following Bill without amendment:—

Bill (No. 86), An Act to amend The Mining Act.

The following Bills were severally introduced and read the first time:—

Bill (No. 132), intituled, "The Teachers' Superannuation Act, 1949."

*Mr. Porter.*

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 133), intituled, "An Act to amend The Municipal Act." *Mr.*

*Dunbar.*

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 134), intituled, "An Act to amend The Forest Management Act, 1947." *Mr. Scott* (Peterborough).

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 135), intituled, "An Act to amend The Executive Council Act."

*Mr. Oliver.*

*Ordered*, That the Bill be read the second time to-morrow.

Before the Orders of the Day, Mr. Speaker paid tribute to the memory of the late Walter B. Reynolds, Member for the Electoral District of Leeds, and for several years Chairman of the Committee of the Whole House.

Mr. Kennedy, the Prime Minister, Mr. Jolliffe, Leader of His Majesty's Loyal Opposition, Mr. Oliver, Leader of the Liberal Party, and Mr. MacLeod joined in support of Mr. Speaker's remarks.

The following Bills were severally read the second time:—

Bill (No. 109), An Act to amend The Highway Improvement Act.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 110), The Homes for the Aged Act, 1949.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 111), An Act to amend The Children's Protection Act.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 123), An Act to amend The Conservation Authorities Act, 1946.

Referred to a Committee of the Whole House to-morrow.

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The House resolved itself into a Committee to consider certain Bills, and, after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Patrick reported,

That the Committee had directed him to report the following Bills without amendment:—

Bill (No. 112), An Act to amend The Succession Duty Act, 1939.

Bill (No. 114), An Act to suspend The Income Tax Act (Ontario).

and to report the following Bills with certain amendments:—

Section 14 of Bill (No. 89), The Niagara Parks Act, 1949.

Bill (No. 90), An Act to amend The Hospitals Aid Act, 1948.

Bill (No. 91), An Act to amend The Sanatoria for Consumptives Act, 1947.

Bill (No. 103), The Loan and Trust Corporations Act, 1949.

*Ordered*, That the Bills reported be severally read the third time to-morrow.

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The House then adjourned at 6.10 p.m.

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TUESDAY, MARCH 15TH, 1949

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PRAYERS.

3 O'CLOCK P.M.

Mr. Cathcart from the Standing Committee on Miscellaneous Private Bills presented its Fourth Report which was read as follows and adopted:—

Your Committee begs to report the following Bill without amendment:—

Bill (No. 24), An Act respecting the Canadian National Exhibition Association.

Your Committee begs to report the following Bills with certain amendments:—

Bill (No. 5), An Act to incorporate The Institute of Accredited Public Accountants of Ontario.

Bill (No. 11), An Act respecting the City of London.

Bill (No. 17), An Act respecting the Township of Etobicoke.

Bill (No. 22), An Act respecting Sarnia Young Men's and Young Women's Christian Association.

Bill (No. 31), An Act respecting the City of Ottawa.

Your Committee would recommend that the fees less the penalties and the actual cost of printing be remitted on Bill (No. 22), An Act respecting Sarnia Young Men's and Young Women's Christian Association.

*Ordered*, That the fees less the penalties and the actual cost of printing be remitted on Bill (No. 22), An Act respecting Sarnia Young Men's and Young Women's Christian Association.

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The following Bill was introduced and read the first time:—

Bill (No. 136), intituled, "An Act to amend The Forest Fires Prevention Act, 1948." *Mr. Scott* (Peterborough).

*Ordered*, That the Bill be read the second time to-morrow.

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The Order of the Day for resuming the Adjourned Debate on the Amendment to the Motion that Mr. Speaker do now leave the Chair, and that the House resolve itself into the Committee of Supply, having been read,

The Debate was resumed, and after some time it was on motion by Mr. Park,

*Ordered*, That the Debate be adjourned until to-morrow.

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The House then adjourned at 11.00 p.m.

WEDNESDAY, MARCH 16TH, 1949

PRAYERS.

3 O'CLOCK P.M.

The following Bills were severally introduced and read the first time:—

Bill (No. 137), intituled, "An Act to amend The Barristers Act." *Mr. Thornberry.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 138), intituled, "An Act to amend The Municipal Act." *Mr. Ellis.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 139), intituled, "An Act to amend The Workmen's Compensation Act." *Mr. Fell.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 140), intituled, "An Act to amend The Ontario Municipal Board Act." *Mr. Dunbar.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 141), intituled, "An Act to amend The Local Improvement Act." *Mr. Dunbar.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 142), intituled, "An Act to amend The Municipal Act." *Mr. Dennison.*

*Ordered,* That the Bill be read the second time to-morrow.

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The Order of the Day for the Second Reading of Bill (No. 107), The Fire Departments Act, 1949, having been read,

Mr. Blackwell moved that the Bill be now read a second time, and, a debate arising, after some time it was, on motion by Mr. Wismer,

*Ordered,* That the debate be adjourned.

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The House then adjourned at 5.30 p.m.

THURSDAY, MARCH 17TH, 1949

PRAYERS.

3 O'CLOCK P.M.

Mr. Cathcart from the Standing Committee on Miscellaneous Private Bills presented its Fifth Report which was read as follows and adopted:—

Your Committee begs to report the following Bills without amendment:—

Bill (No. 21), An Act respecting the Township of Kingston.

Bill (No. 27), An Act respecting the Town of Tecumseh.

Your Committee begs to report the following Bill with certain amendments:—

Bill (No. 23), An Act respecting the City of Toronto.

On motion by Mr. Frost, seconded by Mr. Blackwell,

*Ordered*, That the name of Mr. MacLeod be added to the members of the Standing Committee on Miscellaneous Private Bills.

The following Bills were severally introduced and read the first time:—

Bill (No. 143), intituled, "An Act to amend The Boards of Education Act." *Mr. Porter.*

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 144), intituled, "An Act to amend The College of Art Act." *Mr. Porter.*

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 145), intituled, "An Act to amend The Continuation Schools Act." *Mr. Porter.*

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 146), intituled, "An Act to amend The High Schools Act." *Mr. Porter.*

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 147), intituled, "An Act to amend The Public Libraries Act." *Mr. Porter.*

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 148), intituled, "An Act to amend The Public Schools Act." *Mr. Porter.*

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 149), intituled, "An Act to amend The Separate Schools Act." *Mr. Porter.*

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 150), intituled, "An Act to amend The Teachers' Boards of Reference Act, 1946." *Mr. Porter.*

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 151), intituled, "An Act to amend The School Sites Act." *Mr. Porter.*

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 152), intituled, "An Act to amend The Change of Name Act, 1948." *Mr. Blackwell.*

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 153), intituled, "An Act to Provide for the Consolidation of the Regulations filed under The Regulations Act, 1944." *Mr. Blackwell.*

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 154), intituled, "An Act to amend The Insurance Act." *Mr. Blackwell.*

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 155), intituled, "An Act to amend The Companies Act." *Mr. Blackwell.*

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 156), intituled, "An Act to amend The Registry Act." *Mr. Blackwell.*

*Ordered*, That the Bill be read the second time to-morrow.

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Before the Orders of the Day, Mr. Doucett and Mr. Frost advised the House that Questions Nos. 43 and 70, by Mr. Thomas (Ontario) and Mr. Houck respectively, necessitate such lengthy replies that the Government requires them to be made motions for Returns.



On motion by Mr. Thomas (Ontario), seconded by Mr. Fell,

*Ordered*, That there be laid before this House a Return showing: 1. To what person or companies were contracts let for construction of the new highway from Highland Creek to the end of the pavement at Oshawa. 2. What was the mileage covered under each contract. 3. What was the cost per mile of construction under each contract. 4. Which of said contracts were awarded by tender.

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On Motion by Mr. Houck, seconded by Mr. Oliver,

*Ordered*, That there be laid before this House a Return showing: What was the Hydro-Electric Power Commission peak demand for power in the years 1942, 1943, 1944, 1945, 1946, 1947 and 1948.

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Mr. Cox asked the following Question (No. 3):—

What steps have been taken since 1945 to establish any University or school of higher education anywhere in Northern Ontario.

The Minister of Education replied as follows:—

1. PROVINCIAL INSTITUTE OF MINING—HAILEYBURY

Established October 23rd, 1944. Classes opened September, 1945. Institute has been in operation since that time.

2. LAKEHEAD TECHNICAL INSTITUTE—PORT ARTHUR

Site transferred to Provincial Government by Port Arthur City Council, October 29th, 1945. Institute established by Order-in-Council dated June 4th, 1946. Temporary accommodation provided, 1947. Mining classes begun, January, 1948. Courses now include Mining, Forestry, General Arts and Science at university first-year level, and evening classes in Accountancy.

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Mr. Cox asked the following Question (No. 5):—

1. What has been the total cost of the Aquasabon Power Development to date. 2. What is the estimated total cost. 3. What power is expected to be developed there.

The 1st Vice-Chairman of the Hydro-Electric Power Commission of Ontario replied as follows:—

1. \$12,440,846.71, includes complete generating development and step-up transformation facilities. 2. \$12,568,700.00. 3. 53,500 electrical horsepower.

Mr. Dennison asked the following Question (No. 19):—

1. How many cars and trucks have been purchased or are on order by the Hydro-Electric Power Commission of Ontario for use in its conversion program. 2. How many of these have been put at the disposal of the Canadian Comstock Company, Limited. 3. Are the cars at the disposal of Canadian Comstock Company, Limited, operated at Hydro expense. 4. Has the Hydro Commission taken any steps to establish its own cement plant for the manufacture of its own cement. 5. From what companies has the Commission purchased cement in 1947, 1948 and 1949. 6. What is the amount of cement in each year purchased from each company.

The 1st Vice-Chairman of the Hydro-Electric Power Commission of Ontario replied as follows:—

1. 64 cars, 198 trucks, 10 office trailers, a total of 272 vehicles. 2. 47 cars, 77 trucks, 10 office trailers, a total of 134 vehicles. 3. Yes, as part of the cost of the frequency conversion work. 4. No. 5. Canada Cement Company Limited and Alfred Rogers Limited. 6. 1947—Canada Cement Co. Ltd., 197,774 barrels; Alfred Rogers Limited, 20,650 barrels. 1948—Canada Cement Co. Ltd., 632,450 barrels; Alfred Rogers Limited, 50,000 barrels. 1949—Canada Cement Co. Ltd., 1,377,000 barrels; Alfred Rogers Limited, 210,000 barrels.

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Mr. Park asked the following Question (No. 24):—

1. As of December 31st, 1948, how many estates were under administration by the Public Trustee, on account of persons confined to mental hospitals. 2. What was the total value of said estates. 3. During each of the years 1945, 1946, 1947, 1948, in respect of how many pieces of real estate under administration by the Public Trustee was any tax penalty levied or paid because of late payment of municipal taxes. 4. What was the total amount of such tax penalties levied or paid in each year.

The Attorney General replied as follows:—

1. 4,818 estates of mental patients only. 2. Value of said estates only—\$12,064,126.60. 3. Year 1945, 106 properties; year 1946, 77 properties; year 1947, 134 properties; year 1948, 151 properties. 4. Year 1945, penalties \$454.64; year 1946, penalties \$227.37; year 1947, penalties \$301.47; year 1948, penalties \$212.44.

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Mr. Oliver asked the following Question (No. 38):—

(a) What amount of electrical energy is being now produced by or for the Ontario Hydro-Electric Power Commission by auxiliary steam plants; (b) What amount of electrical energy is planned to be developed by the same means.

The 1st Vice-Chairman of the Hydro-Electric Power Commission replied as follows:—

(a) During January, 1949, the last month for which complete records are

available, 6,637,590 kilowatt-hours were obtained from auxiliary steam plants. (b) Steam-electric plants presently planned will develop 351,000 kilowatts (470,000 horsepower). These plants and their capacities are as follows:—

	Presently Planned Capacity
Miscellaneous Small (5,000-10,000 kw.) Plants.....	61,000 kw. ( 82,000 h.p.)
Windsor Steam Plant (Units 1 and 2).....	120,000 kw. (160,000 h.p.)
Toronto Steam Plant (Units 1 and 2).....	170,000 kw. (228,000 h.p.)

Mr. Oliver asked the following Question (No. 39):—

What has been the total cost to date of the campaign by the Ontario Hydro-Electric Power Commission to save electricity, including and setting out separately, all amounts paid to radio stations, newspapers, advertising agencies, special speakers, etc.

The 1st Vice-Chairman of the Hydro-Electric Power Commission of Ontario replied as follows:—

The total cost of the Hydro program to save electricity from June 1st, 1948, to February 28th, 1949, was \$85,874.02. For the period June 1st, 1947, to March 31st, 1948, the expenditures totalled \$195,905.62.

#### BREAKDOWN OF EXPENDITURES

	From June 1/47 to Mar. 31/48	From June 1/48 to Feb. 28/49
Newspapers.....	\$ 72,871.20	\$ 37,265.98
Radio Stations.....	34,197.10	7,731.67
Advertising Agency—Production Costs of Publicity Material.....	.....	5,749.40
Special Speakers (Jim Hunter and Announcer) .....	.....	1,218.00
Bill Poster Advertising.....	22,408.67	.....
Exterior Street Car.....	10,760.19	.....
Motion Picture.....	10,931.85	.....
Pamphlets, direct mail folders, window display cards, special campaign material and publicity items prepared for utilities.....	44,736.61	33,908.97
Total.....	\$195,905.62	\$ 85,874.02

Mr. Dennison asked the following Question (No. 50):—

1. Has the Hydro-Electric Power Commission of Ontario started its frequency conversion project in the Leaside District. 2. Was a contract for this project let to an independent contractor. 3. If so, what is the name and address of the contractor. 4. What was the date of the contract. 5. When did the

contractor commence to do business in Canada. 6. Were tenders called before awarding the contract. 7. What part of the frequency conversion program is to be carried out by the independent contractor. 8. What is the contract price. 9. What is the duration of the contract.

The 1st Vice-Chairman of the Hydro-Electric Power Commission of Ontario replied as follows:—

1. No. 2. No, but a contractor has been engaged to carry out the frequency conversion project in certain areas under the direction and supervision of the Commission's staff. 3. Canadian Comstock Company, Limited, 206 Laird Drive North, Leaside, Ontario. 4. January 12th, 1949. 5. 1910. 6. No. Other Canadian Companies were considered but the Canadian Comstock Company, Limited was the only Company in Canada in a position to proceed with the frequency conversion program immediately. This was essential in view of the necessity of getting ahead with the conversion program at the earliest date possible so that full advantage may be taken of the new 60-cycle resources as they become available. The Canadian Comstock Company, Limited is one of the largest electrical contracting organizations in Canada, and during the past ten years has successfully carried out approximately \$72,000,000.00 of new electrical construction for approximately 4,800 consumers. 7. The field work in the Scarborough, London and Sarnia areas and part of the City of Hamilton, as directed by the Commission. 8. The nature of the work is such that the contract can only be carried out on a cost-plus-graded-fee basis. 9. At the discretion of the Commission.

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Mr. Nixon asked the following Question (No. 52):—

(a) How many barrels of Portland Cement were purchased by the Hydro-Electric Power Commission during 1948; (b) From whom was the cement purchased; (c) At what delivered cost per barrel.

The 1st Vice-Chairman of the Hydro-Electric Power Commission of Ontario replied as follows:—

(a) 682,450 barrels. (b) Canada Cement Company and Alfred Rogers Limited. (c) \$2.32 to \$3.56 per barrel. Basic price same but delivered cost depending on destination.

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Mr. Nixon asked the following Question (No. 53):—

(a) How many barrels of Portland Cement have been contracted for or ordered for 1949 construction and maintenance work by the Hydro-Electric Power Commission; (b) From whom.

The 1st Vice-Chairman of the Hydro-Electric Power Commission of Ontario replied as follows:—

(a) 1,587,000 barrels. (b) Canada Cement Company and Alfred Rogers Limited.

Mr. Nixon asked the following Question (No. 54):—

(a) How many tons of Reinforcing Steel were purchased by the Hydro-Electric Power Commission during 1948; (b) From whom; (c) At what price per ton.

The 1st Vice-Chairman of the Hydro-Electric Power Commission of Ontario replied as follows:—

(a) 12,813 tons. (b) Steel Company of Canada Limited, Burlington Steel Company, Dominion Steel & Coal Corporation and United States Steel Export Company. (c) Base price \$63.00 to \$85.00 per ton, f.o.b. mills.

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Mr. Nixon asked the following Question (No. 55):—

(a) How many tons of Structural Steel were purchased by the Hydro-Electric Power Commission during 1948; (b) From whom; (c) At what price per ton.

The 1st Vice-Chairman of the Hydro-Electric Power Commission of Ontario replied as follows:—

(a) 14,524 tons. (b) Dominion Bridge Company Limited, John T. Hepburn Limited, Hamilton Bridge Company Limited, Canadian Bridge Company Limited, Standard Steel Construction Company, Plate & Structural Steel Sales Limited, Armco Drainage & Metal Products, London Steel Construction Company, Toronto Iron Works Limited, M. Brown & Son, Toronto Engine Works Limited, United States Steel Export Co., Bethlehem Steel Export Corporation, The Office of Mutual Aid, Belgium. (c) \$72.00 to \$250.00 per ton, f.o.b. mills or shipping points. Variation in price is due to three factors: (1) The amount of fabrication involved; (2) Structural shape; (3) Shipping point and destination.

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Mr. MacLeod asked the following Question (No. 58):—

1. How much money was spent on psychiatric research in Ontario during 1940, 1941, 1942, 1943, 1944, 1945, 1946, 1947 and 1948. 2. What are the academic requirements of a qualified psychiatrist in Ontario, and what authority fixes the standards. 3. How many psychiatrists have graduated from Ontario Universities since 1940. 4. How many qualified psychiatrists were practising in Ontario on January 1st, 1949. 5. How many psychiatry students are now registered at Ontario Universities. 6. How many psychiatrists are on duty in Ontario mental hospitals, what are their names, from what university did they graduate, in what year, and in what hospitals are they now on duty.

The Minister of Health replied as follows:—

1. 1940-41—\$3,000.00; 1941-42—\$3,263.52; 1942-43—\$3,380.20; 1943-44—\$2,815.13; 1944-45—\$11,259.22; 1945-46—\$2,455.12; 1946-47—\$2,925.71; 1947-

48—\$2,509.18. 2. Graduation from an approved medical school. General internship of at least one year. Four years of post-graduate training. The Royal College of Physicians and Surgeons of Canada. 3. See answer to Question 2. 4. 112. 5. 19 taking required Post-Graduate training. 6. 50.

## Ontario Hospital:

Hanna, Dr. C. E.....	Queen's	1914	Brockville
Kreiner, Dr. J. H.....	McGill	1923	Brockville
Frank, Dr. H.....	McGill	1935	Brockville
Houze, Dr. M.....	Queen's	1929	Brockville
Cleland, Dr. C. A.....	Queen's	1928	Fort William
Senn, Dr. J. N.....	Toronto	1925	Hamilton
Howitt, Dr. J. R.....	Toronto	1915	Hamilton
Grieve, Dr. J. D.....	Western	1929	Hamilton
Barrie, Dr. M. O. L.....	Queen's	1932	Hamilton
Weber, Dr. W. H.....	Toronto	1927	Hamilton
Brillinger, Dr. H. R.....	Toronto	1931	Hamilton
Lynch, Dr. D. O.....	Queen's	1922	Kingston
McCuaig, Dr. C. H.....	Queen's	1921	Kingston
Wilson, Dr. G. E.....	Toronto	1932	Kingston
James, Dr. E. A.....	Queen's	1924	Kingston
Batstone, Dr. H. L.....	Queen's	1932	Kingston
Lugsden, Dr. G. H.....	Toronto	1936	Kingston
Tennant, Dr. C. S.....	Queen's	1916	Langstaff
Stevenson, Dr. G. H.....	Toronto	1918	London
McCausland, Dr. A.....	Queen's	1912	London
Stewart, Dr. O. J. (part-time)....	Western	1935	London
Jenkins, Dr. G. E.....	Western	1938	London
Cumberland, Dr. T. D.....	Toronto	1913	New Toronto
Easton, Dr. N. L.....	Toronto	1926	New Toronto
Carson, Dr. R. J.....	Toronto	1923	New Toronto
Gunn, Dr. D. R.....	Toronto	1931	New Toronto
Hagan, Dr. J. N.....	Toronto	1933	New Toronto
Horne, Dr. S. J. W.....	Queen's	1918	Orillia
Hamilton, Dr. F. C.....	Queen's	1923	Orillia
Cardwell, Dr. W. A.....	Toronto	1914	Penetanguishene
Gauld, Dr. W. H.....	Toronto	1923	Penetanguishene
Stewart, Dr. J. S.....	Queen's	1915	St. Thomas
McGregor, Dr. K. M.....	Western	1935	St. Thomas
Montgomery, Dr. S. R. P.....	Toronto	1923	Toronto
Chalk, Dr. S. G.....	Western	1922	Toronto
Moir, Dr. H. K.....	Toronto	1926	Toronto
Fischer, Dr. M.....	Toronto	1943	Toronto
Fletcher, Dr. D. R.....	Queen's	1916	Whitby
Moorhouse, Dr. H. C.....	Western	1931	Whitby
Earle, Dr. W. J.....	Queen's	1935	Whitby
Clark, Dr. E. A.....	Queen's	1924	Woodstock
Pratt, Dr. C. H.....	Toronto	1924	Woodstock
Allen, Dr. A. G.....	Toronto	1931	Woodstock
Weber, Dr. J. J.....	Toronto	1930	Woodstock
Stokes, Dr. A. B.....	Oxford	1931	Toronto Psychiatric
Jackson, Dr. M. V.....	Toronto	1929	Toronto Psychiatric

Sweet, Dr. T. A.....	Toronto	1926	Toronto Psychiatric
Dewan, Dr. J. G.....	Western	1932	Toronto Psychiatric
Rosen, Dr. E. J.....	McGill	1942	Toronto Psychiatric
Miller, Dr. A.....	Toronto	1934	Toronto Psychiatric

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Mr. Chartrand asked the following Question (No. 60):—

Since 1945 how many requests for the establishment of a French-speaking Separate School section have been held in abeyance on the grounds that applications cannot be considered until the Royal Commission on Education reports. (List names and localities.)

The Minister of Education replied as follows:—

No application is held in abeyance.

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Mr. Houck asked the following Question (No. 63):—

What has been the cost of maintenance, repairs and operation of the aeroplane owned by the Hydro-Electric Power Commission including salaries and allowances of pilots and other air or ground crew members.

The 1st Vice-Chairman of the Hydro-Electric Power Commission of Ontario replied as follows:—

For 13 months, January 1st, 1948, to January 31st, 1949—\$45,210.46.

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Mr. Salsberg asked the following Question (No. 80):—

1. How much of the \$100,000 placed in the Estimates of 1948-1949—Department of Education, for "Training in Citizenship for Adults" has been expended until now. 2. What individuals or organizations were the recipients of amounts of \$100 or more, of that amount.

The Minister of Education replied as follows:—

1. \$50,107.54 to February 28th, 1949. 2. Acme Recording Service, \$2,123.00; C.K.S.O. Sudbury Ltd., \$624.61; Copp Clark Co. Ltd., \$700.00; W. J. Gage & Co. Ltd., \$360.00; Hyland Broadcasting Co., \$312.00; King's Printer (Ontario), \$160.00; Longmans, Green & Company, \$897.00; Maple Leaf Broadcasting Co. Limited, \$1,162.80; National Film Board, \$1,434.00; Northern Broadcasting and Publishing Co., \$374.40; Northern Broadcasting Co. Ltd., \$988.80; Ottawa Normal School, \$120.00; Ottawa Valley Broadcasting Co. Ltd., \$273.00; Publishers Ltd., \$1,300.00; Radio Station C.K.P.R., Fort William, \$444.60; Sarnia Broadcasting Co. Ltd., \$1,185.60; Thomas Nelson & Sons Ltd., \$9,948.18. R. Aceti, \$145.00; H. M. Archibald, \$136.00; M. Austin, \$155.00;

M. E. Blatz, \$200.00; L. M. J. Bowerman, \$524.00; W. A. Bowerman, \$611.25; C. A. Buchanan, \$244.00; T. C. Buttler, \$144.00; A. J. Coady, \$172.00; W. A. Croft, \$197.30; J. Dale, \$125.00; E. C. Denny, \$807.50; M. J. Diakowsky, \$375.00; V. H. Dwyer, \$122.50; D. F. Evershed, \$168.75; F. Freeman, \$100.00; E. Gallagher, \$658.00; E. L. Gardiner, \$655.00; J. G. Gillie, \$255.00; R. M. Gobbo, \$237.50; R. L. Godin, \$136.00; R. J. Goodman, \$169.75; A. M. Hall, \$102.00; J. L. Hamilton, \$168.00; J. S. Hemmingway, \$120.00; H. O. Hessell, \$180.00; J. W. Hicks, \$124.00; J. Humphrey, \$115.20; A. Jameson, \$144.00; P. F. Karihtala, \$100.00; S. Kupsc, \$197.00; V. T. Lambert, \$250.00; H. LaZerte, \$129.00; D. R. MacDougall, \$118.00; D. MacKay, \$124.00; J. MacNeill, \$305.00; E. Mageau, \$462.00; F. C. Mason, \$192.00; J. Matczak, \$323.00; G. M. Matthews, \$398.00; E. J. Melisck, \$151.20; P. Mesit, \$164.00; R. E. Miller, \$275.00; J. D. Murphy, \$102.00; A. McDonald, \$145.00; F. C. McElligott, \$120.00; R. M. McGrath, \$110.00; T. V. McIntosh, \$896.00; J. L. McNeil, \$808.00; J. Nagainis, \$183.00; E. Nelson, \$204.00; M. Norman, \$112.00; A. Osborne, \$210.00; M. W. Patten, \$152.00; J. C. Peterson, \$185.00; J. Popadynetz, \$116.00; Omer P. Raby, \$140.00; W. B. Ramsell, \$224.00; R. L. Robertson, \$130.00; J. L. Rose, \$130.00; B. Rosenplot, \$120.00; H. E. Rymal, \$137.18; C. Sandmoen, \$144.00; B. M. C. Shaw, \$106.40; R. H. Shevenell, \$240.00; G. S. Sykes, \$171.25; Sr. Mary of St. Clair, \$100.00; J. Wajlwodka, \$500.00; A. W. Waldron, \$202.50; A. C. Ward, \$616.08; W. L. Wilke, \$126.00; V. T. Wilson, \$168.00; E. Ziemiewicz, \$100.00; B. J. Zubrzycki, \$300.00.

In addition, the following members of the staff were reimbursed for travelling expenses and petty cash disbursements in the amounts shown below:

T. A. K. Fletcher, \$155.54; M. A. Garland, \$333.99; D. A. Garvie, \$438.83; T. A. Leishman, \$490.43; N. C. Lindsay, \$182.33; E. MacKenzie, \$201.43; G. H. Miller, \$103.67; E. V. Ross, \$205.39; O. R. Stalter, \$245.15; H. E. Thomas, \$383.42; E. Webster, \$289.09; K. L. Young, \$1,132.40.

Mr. Temple asked the following Question (No. 89):—

1. In each of the years 1944, 1945, 1946, 1947 and 1948, what have been the maximum and minimum strengths of domestic brands of ale, lager beer, porter and stout, which have been sold in Ontario. 2. In each year what was the quantity of each of the above types sold: (a) direct to the consumer; (b) to licencees. 3. In each of the above years what was the amount of each of the above types sold: (a) in bottles; (b) in kegs or barrels.

The Chief Commissioner of the Liquor Control Board replied as follows:—

1. Product	Year	Percent of Alcohol by Volume	
		Maximum	Minimum
Ale.....	1944	5.90	3.92
	1945	6.09	3.88
	1946	5.91	3.51
	1947	5.95	4.07
	1948	5.87	4.14



Lager Beer . . . . .	1944	5.66	4.02
	1945	5.65	4.05
	1946	5.58	4.34
	1947	5.55	4.14
	1948	5.98	3.85
Porter . . . . .	1944	5.64	3.78
	1945	5.61	4.19
	1946	5.52	4.66
	1947	5.37	4.08
	1948	5.33	3.80
Stout . . . . .	1944	5.79	3.95
	1945	5.58	4.25
	1946	5.97	4.33
	1947	5.98	4.12
	1948	6.12	4.59

2. Sales statistics are not maintained in the various types. Total gallonage, therefore, given.

Year ending	Home Consumers	Licencees
March 31st, 1944 . . . . .	15,109,196	23,377,062
March 31st, 1945 . . . . .	22,817,224	24,335,056
March 31st, 1946 . . . . .	22,690,885	28,338,201
March 31st, 1947 . . . . .	25,281,638	33,616,251
March 31st, 1948 . . . . .	30,269,706	37,884,218

3. Year ending	Bottled	Draft
March 31st, 1944 . . . . .	25,468,383	13,017,875
March 31st, 1945 . . . . .	30,274,786	16,877,494
March 31st, 1946 . . . . .	31,885,977	19,143,109
March 31st, 1947 . . . . .	35,463,457	23,434,432
March 31st, 1948 . . . . .	43,548,105	24,605,819

Mr. MacLeod asked the following Question (No. 91):—

1. How many grants have been made under The Community Halls Act since 1936 and to what municipalities have such grants been made. 2. How many centres have actually been built during the above period.

The Minister of Agriculture replied as follows:—

1. 63. Lucknow, Port Burwell, Pontypool, Frankford, Clinton, Bluevale, Exeter, Norval, Mount Elgin, Mildmay, Whitechurch, Reid's Corners, Sonya, Dunchurch, Fairbank, South Gillies, Nobleton, Colborne, Mildmay, Emo, Mount Hope, South River, Englehart, Paisley, Otterville, Hunta, Dundalk, West Lorne, Little Britain, Sunderland, Utopia, Cannington, Esquesing, Formosa, Beeton, Woodville, Cumberland, Hastings, Aylmer, Brooklin, New Hamburg, Thedford, Culross and Teeswater, Marmora, Delhi, Watson's Corners, Brigden, North Norwich, Burk's Falls, Inglewood, Fordwich, Manilla, Assiginack, Coldwater.

2. 54.

Mr. MacLeod asked the following Question (No. 93):—

How many houses have been destroyed by fire in the Province of Ontario since 1938. 2. How many lives were lost—men, women and children. Was any form of compensation granted to those affected.

The Attorney General replied as follows:—

1. There are no statistics available showing the number of houses destroyed by fire. However, the number of fires in dwelling houses is as follows:—

1939.....	10,216
1940.....	10,622
1941.....	11,089
1942.....	10,757
1943.....	11,513
1944.....	12,385
1945.....	13,076
1946.....	13,714
1947.....	13,615
1948.....	13,424
	<hr/>
	120,411

2. If part No. 2 refers to the number of lives lost in houses destroyed by fire, no statistics are available, but the number of fatalities in all types is as follows:—

Year	Men	Women	Children
1939.....	26	14	37
1940.....	30	13	35
1941.....	37	21	45
1942.....	35	11	28
1943.....	35	10	21
1944.....	34	26	38
1945.....	65	24	43
1946.....	42	23	44
1947.....	48	27	42
1948.....	57	27	55
	<hr/>	<hr/>	<hr/>
	409	196	388

Apart from Insurance or compensation paid under The Workmen's Compensation Act—none.

The Order of the Day for resuming the Adjourned Debate on the Amendment to the Motion that Mr. Speaker do now leave the Chair, and that the House resolve itself into the Committee of Supply, having been read,

The Debate was resumed, and after some time the Amendment,

“This House, however, regrets that the Government have not seen

fit to provide for adequate health services such as a prepaid and subsidized hospitalization plan."

having been put, was lost on the following Division:—

## YEAS

Baxter	Harvey	Oliver
Brown	(Sault Ste. Marie)	Park
Calder	Houck	Robinson
Chartrand	Isley	Salsberg
Dennison	Jolliffe	Scott
Dowling	Leavens	(Beaches)
Easton	MacLeod	Temple
Ellis	Macphail	Thomas
Fell	Millard	(Ontario)
Foster	McEwing	Thornberry
Gordon	McMillan	Walker
Grummett	Newman	Walters—34
	Nixon	

## NAYS

Allen	Hall	Nault
Cathcart	Hamilton	Parry
Cecile	Hanna	Patrick
Challies	Harvey	Phillips
Daley	(Nipissing)	Porter
Dent	Janes	Pringle
Doucett	Johnston	Pryde
Downer	(Parry Sound)	Rea
Dunbar	Johnston	Robson
Edwards	(Simcoe Centre)	Sandercock
Foote	Kelley	Stewart
Frost	Mackenzie	Thomas
Fullerton	Martin	(Elgin)
Gemmell	Morrow	Villeneuve
Goodfellow	Murdoch	Welsh
Griesinger	McDonald	White—45
	McPhee	

The main Motion having then been put, was carried on the following Division:—

## YEAS

Allen	Downer	Goodfellow
Cathcart	Dunbar	Griesinger
Cecile	Edwards	Hall
Challies	Foote	Hamilton
Daley	Frost	Hanna
Dent	Fullerton	Harvey
Doucett	Gemmell	(Nipissing)

## YEAS—(Continued)

Janes	McDonald	Robson
Johnston (Parry Sound)	McPhee	Sandercock
Johnston (Simcoe Centre)	Nault	Stewart
Kelley	Parry	Thomas (Elgin)
Mackenzie	Patrick	Villeneuve
Martin	Phillips	Welsh
Morrow	Porter	White—45
Murdoch	Pringle	
	Pryde	
	Rea	

## NAYS

Baxter	Harvey	Oliver
Brown	(Sault Ste. Marie)	Park
Calder	Houck	Robinson
Chartrand	Isley	Salsberg
Dennison	Jolliffe	Scott (Beaches)
Dowling	Leavens	Temple
Easton	MacLeod	Thomas (Ontario)
Ellis	Macphail	Thornberry
Fell	Millard	Walker
Foster	McEwing	Walters—34
Gordon	McMillan	
Grummett	Newman	
	Nixon	

The House, according to Order, resolved itself into the Committee of Supply.

*(In the Committee)*

*Resolved*, That there be granted to His Majesty, for the services of the fiscal year ending March 31st, 1950, the following sum:—

115. To defray the expenses of the Office of Lieutenant-Governor . . . \$14,500.00

Mr. Speaker resumed the Chair; and Mr. Patrick reported, That the Committee had come to a certain Resolution; also, That the Committee had directed him to ask for leave to sit again.

*Ordered*, That the Report be received to-morrow.

*Resolved*, That the Committee have leave to sit again to-morrow.

---

The following Bills were severally read the third time and were passed:—

Bill (No. 102), An Act to amend The Wolf and Bear Bounty Act, 1946.

Bill (No. 105), An Act to amend The Presqu'ile Park Act.

Bill (No. 106), An Act to amend The Long Point Park Act.

Bill (No. 1), An Act respecting The Federation for Community Service of Toronto.

Bill (No. 2), An Act respecting The Mount McKay and Kakabeka Falls Railway Company.

Bill (No. 3), An Act respecting The Incorporated Synod of the Diocese of Toronto.

Bill (No. 6), An Act respecting the Township of Scarborough.

Bill (No. 7), An Act respecting Wycliffe College.

Bill (No. 15), An Act respecting the Incorporated Synod of the Diocese of Ontario.

Bill (No. 8), An Act to establish the Frontenac High School District.

Bill (No. 9), An Act respecting l'Institut Jeanne d'Arc.

Bill (No. 12), An Act respecting the City of Chatham.

Bill (No. 13), An Act respecting The Hospital for Sick Children.

Bill (No. 14), An Act respecting the City of Belleville.

Bill (No. 20), An Act respecting McMaster University.

Bill (No. 26), An Act to incorporate the Ontario Co-operative Credit Society.

Bill (No. 90), An Act to amend The Hospitals Aid Act, 1948.

Bill (No. 91), An Act to amend The Sanatoria for Consumptives Act, 1947.

Bill (No. 103), The Loan and Trust Corporations Act, 1949.

Bill (No. 112), An Act to amend The Succession Duty Act, 1939.

Bill (No. 114), An Act to suspend The Income Tax Act (Ontario).

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The following Bills were severally read the second time:—

Bill (No. 118), An Act to amend The Tile Drainage Act.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 119), An Act to amend The Ditches and Watercourses Act.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 120), An Act to amend The Municipal Drainage Act.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 121), An Act to amend The Provincial Aid to Drainage Act.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 122), An Act to amend The Power Commission Act.

Referred to a Committee of the Whole House to-morrow.

---

The House resolved itself into a Committee to consider certain Bills, and, after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Patrick reported,

That the Committee had directed him to report the following Bills without amendment:—

Bill (No. 113), An Act to amend The Provincial Loans Act.

Bill (No. 109), An Act to amend The Highway Improvement Act.

and to report the following Bill with certain amendments:—

Bill (No. 115), An Act to amend The Corporations Tax Act, 1939.

*Ordered*, That the Bills reported be severally read the third time to-morrow.

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The House then adjourned at 11.15 p.m.

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FRIDAY, MARCH 18TH, 1949

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PRAYERS.

1.30 O'CLOCK P.M.

The following Bills were severally read the second time:—

Bill (No. 16), An Act respecting the City of Peterborough.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 18), An Act respecting the Cornwall Street Railway, Light and Power Company, Limited.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 19), An Act to incorporate the Village of Wasaga Beach.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 34), An Act respecting Canada Comforter Company Limited.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 11), An Act respecting the City of London.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 17), An Act respecting the Township of Etobicoke.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 22), An Act respecting Sarnia Young Men's and Young Women's Christian Association.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 24), An Act respecting the Canadian National Exhibition Association.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 21), An Act respecting the Township of Kingston.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 27), An Act respecting the Town of Tecumseh.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 126), An Act to amend The Marriage Act.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 127), An Act to amend The Telephone Act.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 128), An Act for Quieting Doubts affecting the Legal Status and Boundaries of Municipalities.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 129), An Act to amend The Vital Statistics Act, 1948.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 130), An Act to amend The Public Utilities Act.

Referred to the Committee on Municipal Law.

Bill (No. 131), An Act to amend The Department of Municipal Affairs Act.

Referred to the Committee on Municipal Law.

Bill (No. 133), An Act to amend The Municipal Act.

Referred to the Committee on Municipal Law.

Bill (No. 134), An Act to amend The Forest Management Act, 1947.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 136), An Act to amend The Forest Fires Prevention Act, 1948.

Referred to a Committee of the Whole House on Monday next.

Bill (No. 140), An Act to amend The Ontario Municipal Board Act.

Referred to the Committee on Municipal Law.

Bill (No. 141), An Act to amend The Local Improvement Act.

Referred to the Committee on Municipal Law.

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The Order of the Day for the Second Reading of Bill (No. 93), An Act to amend The Psychiatric Hospitals Act, having been read, it was, on motion by Mr. Kelley,

*Ordered*, That the Order be discharged and the Bill withdrawn.

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The Order of the Day for the Third Reading of Bill (No. 89), The Niagara Parks Act, 1949, having been read,

Mr. Daley moved that the Bill be now read a third time.

Mr. Houck moved in amendment, seconded by Mr. Oliver,

That Bill (No. 89), The Niagara Parks Act, 1949, be now read a third time but that it be referred back to the Committee of the Whole with instructions that they amend it by striking out Section 9.

The amendment having been put was lost on the following Division:—



## YEAS

Baxter  
Brown  
Calder  
Chartrand  
Easton  
Ellis  
Fell  
Foster  
Gordon  
Grummett

Houck  
Isley  
Jolliffe  
Leavens  
MacLeod  
Macphail  
Millard  
McEwing  
McMillan  
Nixon

Oliver  
Salsberg  
Scott  
(Beaches)  
Taylor  
Thomas  
(Ontario)  
Thornberry  
Walters  
Wismer—28

## NAYS

Allen  
Blackwell  
Cathcart  
Cecile  
Challies  
Daley  
Dempsey  
Dennison  
Dent  
Doucett  
Downer  
Dunbar  
Edwards  
Foote  
Frost  
Gemmell  
Goodfellow  
Griesinger

Hall  
Hamilton  
Hanna  
Harvey  
(Nipissing)  
Hunt  
Johnston  
(Simcoe Centre)  
Kelley  
Mackenzie  
Martin  
Morrow  
McDonald  
McPhee  
Nault  
Park  
Parry  
Patrick

Porter  
Pringle  
Pryde  
Rea  
Robinson  
Robson  
Sandercock  
Scott  
(Peterborough)  
Stewart  
Temple  
Thomas  
(Elgin)  
Villeneuve  
Welsh  
White—48

The Motion for Third Reading having been put was carried on the following Division:—

## YEAS

Allen  
Blackwell  
Cathcart  
Cecile  
Challies  
Daley  
Dempsey  
Dennison  
Dent  
Doucett  
Downer  
Dunbar  
Edwards

Foote  
Frost  
Gemmell  
Goodfellow  
Griesinger  
Hall  
Hamilton  
Hanna  
Harvey  
(Nipissing)  
Hunt  
Johnston  
(Simcoe Centre)

Kelley  
Mackenzie  
Martin  
Morrow  
McDonald  
McPhee  
Nault  
Park  
Parry  
Patrick  
Porter  
Pringle  
Pryde

## YEAS—Continued

Rea  
Robinson  
Robson  
Sandercock

Scott  
(Peterborough)  
Stewart  
Temple

Thomas  
(Elgin)  
Villeneuve  
Welsh  
White—48

## NAYS

Baxter  
Brown  
Calder  
Chartrand  
Easton  
Ellis  
Fell  
Foster  
Gordon  
Grummett

Houck  
Isley  
Jolliffe  
Leavens  
MacLeod  
Macphail  
Millard  
McEwing  
McMillan  
Nixon

Oliver  
Salsberg  
Scott  
(Beaches)  
Taylor  
Thomas  
(Ontario)  
Thornberry  
Walters  
Wisner—28

and the Bill was accordingly read the third time and was passed.

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The following Bills were severally read the third time and were passed:—

Bill (No. 113), An Act to amend The Provincial Loans Act.

Bill (No. 109), An Act to amend The Highway Improvement Act.

---

The House resolved itself into a Committee to consider certain Bills, and, after some time spent therein, Mr. Speaker resumed the Chair; and Mr. Patrick reported,

That the Committee had directed him to report the following Bills without amendment:—

Bill (No. 86), An Act to amend The Mining Act.

Bill (No. 117), An Act respecting The Sandwich, Windsor and Amherstburg Railway.

and to report the following Bill with certain amendments:—

Bill (No. 110), The Homes for the Aged Act, 1949.

*Ordered*, That the Bills reported be severally read the third time on Monday next.

---

The House then adjourned at 3.35 p.m.

MONDAY, MARCH 21st, 1949

PRAYERS.

3 O'CLOCK P.M.

The Order of the Day for resuming the Adjourned Debate on the Motion for Second Reading of Bill (No. 107), The Fire Departments Act, 1949, having been read,

The Debate was resumed and, after some time, the Motion having been put was carried on the following unanimous Recorded Vote:—

YEAS

Allen	Hamilton	Patrick
Baxter	Hanna	Phillips
Blackwell	Harvey	Porter
Brown	(Nipissing)	Pringle
Calder	Hunt	Pryde
Cathcart	Isley	Rea
Cecile	Janes	Robson
Challies	Johnston	Salsberg
Daley	(Simcoe Centre)	Sandercock
Dempsey	Jolliffe	Scott
Dennison	Kelley	(Peterborough)
Dent	Leavens	Scott
Doucett	Mackenzie	(Beaches)
Dowling	MacLeod	Stewart
Downer	Macphail	Taylor
Dunbar	Martin	Temple
Easton	Millard	Thomas
Edwards	Morrow	(Elgin)
Ellis	Murdoch	Thomas
Fell	McDonald	(Ontario)
Foster	McEwing	Thornberry
Frost	McPhee	Villeneuve
Fullerton	Nault	Walker
Gemmell	Newman	Walters
Goodfellow	Nixon	Welsh
Gordon	Oliver	White—76
Griesinger	Park	
Hall	Parry	

NAYS

0

and the Bill was accordingly read the second time and referred to a Committee of the Whole House to-morrow.

The Order of the Day for the Second Reading of Bill (No. 132), The Teachers' Superannuation Act, 1949, having been read,

Mr. Porter moved that the Bill be now read a second time, and, a debate arising, after some time the Motion having been put was carried on the following unanimous Recorded Vote:—

## YEAS

Allen	Hanna	Oliver
Baxter	Harvey	Park
Blackwell	(Nipissing)	Parry
Brown	Hunt	Patrick
Calder	Isley	Phillips
Cathcart	Janes	Porter
Cecile	Johnston	Pryde
Challies	(Parry Sound)	Rea
Daley	Johnston	Salsberg
Dempsey	(Simcoe Centre)	Scott
Dennison	Jolliffe	(Peterborough)
Dent	Kelley	Scott
Doucett	Leavens	(Beaches)
Downer	Mackenzie	Stewart
Dunbar	MacLeod	Taylor
Easton	Macphail	Temple
Ellis	Martin	Thomas
Fell	Millard	(Ontario)
Foster	Morrow	Thornberry
Frost	Murdoch	Villeneuve
Fullerton	McDonald	Walker
Gemmell	McEwing	Walters
Goodfellow	McPhce	Welsh
Gordon	Nault	White—70
Griesinger	Newman	
Hall	Nixon	

## NAYS

0

and the Bill was accordingly read the second time and referred to a Committee of the Whole House to-morrow.

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The following Bill was read the second time:—

Bill (No. 31), An Act respecting the City of Ottawa.

Referred to a Committee of the Whole House to-morrow.

The Order of the Day for the Second Reading of Bill (No. 108), The Police Act, 1949, having been read,

Mr. Blackwell moved that the Bill be now read a second time, and, a debate arising, after some time the Motion having been put was carried on the following Division:—

## YEAS

Allen	Goodfellow	Nixon
Blackwell	Gordon	Oliver
Brown	Hanna	Parry
Calder	Hunt	Patrick
Cathcart	Janes	Phillips
Cecile	Johnston	Porter
Challies	(Simcoe Centre)	Pringle
Daley	Kelley	Pryde
Dent	Mackenzie	Sandercock
Doucett	Martin	Stewart
Downer	Morrow	Thomas
Dunbar	Murdoch	(Elgin)
Edwards	McDonald	Villeneuve
Foster	McEwing	Walker
Frost	McPhee	Welsh
Fullerton	Nault	White—48
Gemmell	Newman	

## NAYS

Dennison	MacLeod	Temple
Easton	Macphail	Thomas
Ellis	Park	(Ontario)
Fell	Salsberg	Thornberry
Isley	Taylor	Walters—15
Jolliffe		

and the Bill was accordingly read the second time and referred to a Committee of the Whole House to-morrow.

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The following Bills were severally read the second time:—

Bill (No. 125), An Act to amend The Companies Act.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 143), An Act to amend The Boards of Education Act.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 144), An Act to amend The College of Art Act.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 145), An Act to amend The Continuation Schools Act.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 146), An Act to amend The High Schools Act.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 147), An Act to amend The Public Libraries Act.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 148), An Act to amend The Public Schools Act.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 149), An Act to amend The Separate Schools Act.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 150), An Act to amend The Teachers' Boards of Reference Act, 1946.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 151), An Act to amend The School Sites Act.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 152), An Act to amend The Change of Name Act, 1948.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 153), An Act to Provide for the Consolidation of the Regulations filed under The Regulations Act, 1944.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 154), An Act to amend The Insurance Act.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 155), An Act to amend The Companies Act.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 156), An Act to amend The Registry Act.

Referred to a Committee of the Whole House to-morrow.

The House resolved itself into a Committee to consider certain Resolutions and certain Bills.

Mr. Frost acquainted the House that the Honourable the Lieutenant-Governor, having been informed of the subject matter of the several Resolutions, recommends them to the consideration of the House.

After some time, Mr. Speaker resumed the Chair, and Mr. Patrick reported that the Committee had come to certain Resolutions as follows:—

*Resolved,*

That the Lieutenant-Governor in Council may guarantee the repayment of advances made by banks, or any other indebtedness incurred by the Hydro-Electric Power Commission pursuant to subsection 3 of section 42 of *The Power Commission Act* as re-enacted by section 9 of Bill (No. 122), *An Act to amend The Power Commission Act*.

*Resolved,*

That,

- (a) The Treasurer of Ontario shall issue Ontario Government debentures or stock which shall be a charge upon the Consolidated Revenue Fund; and
- (b) when the payments into the Teacher's Superannuation Fund in any year are insufficient to make the required payments out of the fund, the deficiency shall be made up out of the Consolidated Revenue Fund; and
- (c) the Treasurer of Ontario shall place to the credit of the fund sums equal to two-thirds of the contributions of every person employed; and
- (d) the Treasurer of Ontario shall pay interest on all sums placed to the credit of the fund during any fiscal year,

as provided by Bill (No. 132), *The Teachers' Superannuation Act, 1949*.

*Resolved,*

That every registrar paid by fees or other emoluments and not by salary shall be entitled to retain to his own use in each year his net income as defined in *The Registry Act* up to \$3,500, as provided in subsection 1 of section 1 of Bill (No. 156), *An Act to amend The Registry Act*.

Also, That the Committee had directed him to report the following Bills without amendment:—

Bill (No. 126), *An Act to amend The Marriage Act*.

Bill (No. 127), An Act to amend The Telephone Act.

Bill (No. 128), An Act for Quieting Doubts affecting the Legal Status and Boundaries of Municipalities.

Bill (No. 129), An Act to amend The Vital Statistics Act, 1948.

Bill (No. 116), An Act to amend The Athletics Control Act, 1947.

Bill (No. 118), An Act to amend The Tile Drainage Act.

Bill (No. 119), An Act to amend The Ditches and Watercourses Act.

Bill (No. 120), An Act to amend The Municipal Drainage Act.

Bill (No. 121), An Act to amend The Provincial Aid to Drainage Act.

Bill (No. 123), An Act to amend The Conservation Authorities Act, 1946.

Bill (No. 111), An Act to amend The Children's Protection Act.

and to report the following Bill with certain amendments:—

Bill (No. 122), An Act to amend The Power Commission Act, except section 4 thereof.

*Ordered*, That the Report be now received and adopted and that the Bills reported be severally read the third time to-morrow.

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The House then adjourned at 11.15 p.m.

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TUESDAY, MARCH 22ND, 1949

PRAYERS.

3 O'CLOCK P.M.

Mr. Cathcart from the Standing Committee on Miscellaneous Private Bills presented its Sixth and Final Report which was read as follows and adopted:—

Your Committee begs to report the following Bills without amendment:—

Bill (No. 28), An Act respecting the Township of East York.

Bill (No. 30), An Act respecting the City of Owen Sound.

Bill (No. 33), An Act respecting the City of St. Catharines.



Your Committee begs to report the following Bill with certain amendments:—

Bill (No. 32), An Act respecting the Township of Sandwich West.

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The following Bills were severally read the third time and were passed:—

Bill (No. 115), An Act to amend The Corporations Tax Act, 1939.

Bill (No. 86), An Act to amend The Mining Act.

Bill (No. 117), An Act respecting The Sandwich, Windsor and Amherstburg Railway.

Bill (No. 110), The Homes for the Aged Act, 1949.

Bill (No. 126), An Act to amend The Marriage Act.

Bill (No. 127), An Act to amend The Telephone Act.

Bill (No. 128), An Act for Quieting Doubts affecting the Legal Status and Boundaries of Municipalities.

Bill (No. 129), An Act to amend The Vital Statistics Act, 1948.

Bill (No. 116), An Act to amend The Athletics Control Act, 1947.

Bill (No. 118), An Act to amend The Tile Drainage Act.

Bill (No. 119), An Act to amend The Ditches and Watercourses Act.

Bill (No. 120), An Act to amend The Municipal Drainage Act.

Bill (No. 121), An Act to amend The Provincial Aid to Drainage Act.

Bill (No. 111), An Act to amend The Children's Protection Act.

Bill (No. 123), An Act to amend The Conservation Authorities Act, 1946.

---

The House resolved itself into a Committee to consider certain Bills, and, after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Patrick reported,

That the Committee had directed him to report the following Bills without amendment:—

Bill (No. 134), An Act to amend The Forest Management Act, 1947.

Bill (No. 136), An Act to amend The Forest Fires Prevention Act, 1948.

Section 4 of Bill (No. 122), An Act to amend The Power Commission Act.

Bill (No. 125), An Act to amend The Companies Act.

Bill (No. 143), An Act to amend The Boards of Education Act.

Bill (No. 144), An Act to amend The College of Art Act.

Bill (No. 145), An Act to amend The Continuation Schools Act.

Bill (No. 146), An Act to amend The High Schools Act.

Bill (No. 147), An Act to amend The Public Libraries Act.

Bill (No. 148), An Act to amend The Public Schools Act.

Bill (No. 149), An Act to amend The Separate Schools Act.

Bill (No. 152), An Act to amend The Change of Name Act, 1948.

Bill (No. 153), An Act to Provide for the Consolidation of the Regulations filed under The Regulations Act, 1944.

Bill (No. 154), An Act to amend The Insurance Act.

Bill (No. 155), An Act to amend The Companies Act.

Bill (No. 156), An Act to amend The Registry Act.

Bill (No. 150), An Act to amend The Teachers' Boards of Reference Act, 1946.

Bill (No. 151), An Act to amend The School Sites Act.

Bill (No. 16), An Act respecting the City of Peterborough.

Bill (No. 18), An Act respecting the Cornwall Street Railway, Light and Power Company, Limited.

Bill (No. 19), An Act to incorporate the Village of Wasaga Beach.

Bill (No. 34), An Act respecting Canada Comforter Company Limited.

Bill (No. 11), An Act respecting the City of London.

Bill (No. 17), An Act respecting the Township of Etobicoke.

Bill (No. 22), An Act respecting Sarnia Young Men's and Young Women's Christian Association.

Bill (No. 24), An Act respecting the Canadian National Exhibition Association.

Bill (No. 21), An Act respecting the Township of Kingston.

Bill (No. 27), An Act respecting the Town of Tecumseh.

Bill (No. 31), An Act respecting the City of Ottawa.

and to report the following Bill with certain amendments:—

Bill (No. 132), The Teachers' Superannuation Act, 1949.

*Ordered*, That the Bills reported be severally read the third time to-morrow.

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The House, according to Order, resolved itself into the Committee of Supply.

*(In the Committee)*

*Resolved*, That there be granted to His Majesty, for the services of the fiscal year ending March 31st, 1950, the following sums:—

123. To defray the expenses of the Main Office, Department of Municipal Affairs.....	\$1,017,000.00
124. To defray the expenses of the Ontario Municipal Board.....	81,100.00
125. To defray the expenses of the Registrar-General's Branch....	262,725.00
134. To defray the expenses of the Office of Provincial Auditor....	201,000.00
193. To defray the expenses of the Miscellaneous Refunds.....	100,000.00
194. To defray the expenses of the Miscellaneous Refunds.....	150,000.00

Mr. Speaker resumed the Chair; and Mr. Patrick reported, That the Committee had come to several Resolutions; also, That the Committee had directed him to ask for leave to sit again.

*Ordered*, That the Report be received to-morrow.

*Resolved*, That the Committee have leave to sit again to-morrow.

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The House then adjourned at 6.00 p.m.

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WEDNESDAY, MARCH 23RD, 1949

PRAYERS.

3 O'CLOCK P.M.

Mr. McPhee from the Standing Committee on Municipal Law presented its Report, which was read as follows and adopted:—

Your Committee begs to report the following Bills without amendment:—

Bill (No. 130), An Act to amend The Public Utilities Act.

Bill (No. 131), An Act to amend The Department of Municipal Affairs Act.

Bill (No. 140), An Act to amend The Ontario Municipal Board Act.

Bill (No. 141), An Act to amend The Local Improvement Act.

Your Committee begs to report the following Bills with certain amendments:—

Bill (No. 104), An Act to amend The Assessment Act.

Bill (No. 133), An Act to amend The Municipal Act.

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The following Bills were severally introduced and read the first time:—

Bill (No. 157), intituled, "An Act to amend The Public Lands Act." *Mr. Scott* (Peterborough).

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 158), intituled, "An Act respecting Oleomargarine." *Mr. Kennedy*.

*Ordered*, That the Bill be read the second time to-morrow.

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The Order of the Day for the House to go into Supply having been read, Mr. Frost moved "That Mr. Speaker do now leave the Chair and the House resolve itself into the Committee of Supply."

Mr. Oliver moved in amendment, seconded by Mr. Nixon,

"That all the words of the Motion after the word 'that' be struck out and the following substituted therefor:—

This House should now deal with the provisions of Bill (No. 135),  
*An Act to amend The Executive Council Act.*"

Mr. Blackwell, rising on a point of order, suggested to Mr. Speaker that Bill No. 135 called for an expenditure of public money and could not be presented by a private member.

Mr. Speaker ruled that the amendment was concerned with a Bill which contemplated an expenditure of public money in that it proposed a payment of \$8,000.00 per year to members of the Executive Council out of public funds and that under the provisions of Rules 47 and 112 such a Bill could only be introduced by a member of the Executive Council supported by a message from the Honourable the Lieutenant-Governor recommending it to the consideration of the House. He therefore ruled that the amendment and the Bill were out of

order and could not be considered by the House and directed that Bill (No. 135), *An Act to amend The Executive Council Act* be removed from the Order Paper.

On an appeal by Mr. Oliver against Mr. Speaker's ruling the ruling was sustained on the following Division:—

## YEAS

Allen	Hamilton	Parry
Blackwell	Harvey	Patrick
Cathcart	(Nipissing)	Phillips
Cecile	Hunt	Porter
Challies	Janes	Pryde
Daley	Johnston	Robson
Dempsey	(Parry Sound)	Sandercock
Doucett	Johnston	Scott
Dunbar	(Simcoe Centre)	(Peterborough)
Edwards	Kelley	Stewart
Foote	Mackenzie	Thomas
Frost	Martin	(Elgin)
Fullerton	Morrow	Villeneuve
Gemmell	Murdoch	Welsh
Goodfellow	McDonald	White—44
Griesinger	McPhee	
Hall	Nault	

## NAYS

Baxter	Houck	Salsberg
Brown	Isley	Scott
Calder	Jolliffe	(Beaches)
Chartrand	Leavens	Taylor
Dennison	MacLeod	Temple
Dowling	Macphail	Thomas
Easton	McEwing	(Ontario)
Ellis	Newman	Thornberry
Fell	Nixon	Walker
Foster	Oliver	Walters
Gordon	Park	Wismer—33
Harvey	Robinson	
(Sault Ste. Marie)		

Mr. Jolliffe, on a point of order, claimed that the ruling of Mr. Speaker applied only to the amendment as submitted by Mr. Oliver and not to the Bill itself.

Mr. Speaker ruled that his previous ruling applied both to the amendment and to the Bill.

Mr. Jolliffe pressed his claim that the ruling applied only to the amendment and appealed against Mr. Speaker's ruling.

On a vote being taken on the question that the appeal of Mr. Jolliffe be sustained the House decided in the negative on the following Division:—

## YEAS

Baxter	Houck	Salsberg
Brown	Isley	Scott
Calder	Jolliffe	(Beaches)
Chartrand	Leavens	Taylor
Dennison	MacLeod	Temple
Dowling	Macphail	Thomas
Easton	McEwing	(Ontario)
Ellis	Newman	Thornberry
Fell	Nixon	Walker
Foster	Oliver	Walters
Gordon	Park	Wisner—33
Harvey	Robinson	
(Sault Ste. Marie)		

## NAYS

Allen	Hall	Nault
Blackwell	Hamilton	Parry
Cathcart	Harvey	Patrick
Cecile	(Nipissing)	Phillips
Challies	Hunt	Porter
Daley	Janes	Pryde
Dempsey	Johnston	Robson
Doucett	(Parry Sound)	Sandercock
Downer	Johnston	Scott
Dunbar	(Simcoe Centre)	(Peterborough)
Edwards	Kelley	Stewart
Foote	Mackenzie	Thomas
Frost	Martin	(Elgin)
Fullerton	Morrow	Villeneuve
Gemmell	Murdoch	Welsh
Goodfellow	McDonald	White—45
Griesinger	McPhee	

The motion of Mr. Frost, "That Mr. Speaker do now leave the Chair and the House resolve itself into the Committee of Supply" having then been put was carried on the following Division:—

## YEAS

Allen	Downer	Griesinger
Blackwell	Dunbar	Hall
Cathcart	Edwards	Hamilton
Cecile	Foote	Harvey
Challies	Frost	(Nipissing)
Daley	Fullerton	Hunt
Dempsey	Gemmell	Janes
Doucett	Goodfellow	

## YEAS—Continued

Johnston (Parry Sound)	McDonald	Sandercock
Johnston (Simcoe Centre)	McPhee	Scott (Peterborough)
Kelley	Nault	Stewart
Mackenzie	Parry	Thomas (Elgin)
Martin	Patrick	Villeneuve
Morrow	Phillips	Welsh
Murdoch	Porter	White—45
	Pryde	
	Robson	

## NAYS

Baxter	Harvey (Sault Ste. Marie)	Park
Brown		Robinson
Calder	Houck	Salsberg
Chartrand	Isley	Scott (Beaches)
Cox	Jolliffe	Temple
Dennison	Leavens	Thomas (Ontario)
Dowling	MacLeod	Thornberry
Easton	Macphail	Walker
Ellis	McEwing	Walters
Fell	Newman	Wisner—33
Foster	Nixon	
Gordon	Oliver	

The House, according to Order, resolved itself into the Committee of Supply.

*(In the Committee)*

After some time, Mr. Speaker resumed the Chair, and Mr. Patrick reported progress, and that the Committee had directed him to ask for leave to sit again.

*Ordered*, That the Report be received to-morrow.

*Resolved*, That the Committee have leave to sit again to-morrow.

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The House then adjourned at 6.10 p.m.

THURSDAY, MARCH 24TH, 1949

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PRAYERS.

3 O'CLOCK P.M.

The following Bills were severally introduced and read the first time:—

Bill (No. 159), intituled, "An Act to amend The Mining Tax Act." *Mr. Frost.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 160), intituled, "An Act for Raising Money on the Credit of the Consolidated Revenue Fund." *Mr. Frost.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 161), intituled, "An Act respecting The Hydro-Electric Power Commission of Ontario, Steep Rock Iron Ore Mines Limited, The Ontario-Minnesota Pulp and Paper Company Limited and His Majesty the King." *Mr. Frost.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 162), intituled, "An Act to amend The Workmen's Compensation Act." *Mr. Daley.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 163), intituled, "An Act to amend The Adoption Act." *Mr. Goodfellow.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 164), intituled, "An Act to amend The Farm Products Grades and Sales Act." *Mr. Kennedy.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 165), intituled, "An Act to amend The Department of Travel and Publicity Act, 1946." *Mr. Cecile.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 166), intituled, "An Act respecting Tourist Establishments." *Mr. Cecile.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 167), intituled, "The Public Vehicle Act, 1949". *Mr. Doucett.*

*Ordered,* That the Bill be read the second time to-morrow.



Bill (No. 168), intituled, "The Public Commercial Vehicle Act, 1949." *Mr. Doucett.*

*Ordered,* That the Bill be read the second time to-morrow.

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Mr. Chartrand asked the following Question (No. 4):—

1. What was the date of the issue of the Royal Commission on Education. 2. Has that Commission held any sittings since the last Session of this Legislature. 3. If so, how many, where, on what dates. 4. What has been the total cost to date of that Commission.

The Minister of Education replied as follows:—

1. March 21st, 1945. 2. Yes. 3. Six meetings of the Commission, and six meetings of Committees of the Commission, as follows (from March 31st, 1948, to February 12th, 1949):—

Date		Meeting	Place
April 26-30	1948	Private session of Commission	Toronto
May 17-19	1948	Committee of the Commission	Port Perry and Belleville
May 26-28	1948	Committee of the Commission	Hamilton and Brantford
May 30, 31, June 1, 2	1948	Committee of the Commission	London, Muncey, Ridgetown and Blenheim
June 9, 10	1948	Committee of the Commission	Toronto
June 21-23	1948	Committee of the Commission	Toronto
September 1	1948	Committee of the Commission	Toronto
September 20-24	1948	Private session of Commission	Toronto
October 18-22	1948	Private session of Commission	Toronto
November 15-19	1948	Private session of Commission	Toronto
January 17-21	1949	Private session of Commission	Toronto
February 7-11	1949	Private session of Commission	Toronto

4. \$156,177.74 to February 28th, 1949.

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Mr. Houck asked the following Question (No. 10):—

1. What is the estimated total cost of the Toronto-Barrie Highway. 2. What has that highway cost to date.

The Minister of Highways replied as follows:—

1. Due to present uncertain supply situation, type of pavement undecided. Estimate of total cost not available. 2. \$6,168,565.45.

Mr. Millard asked the following Question (No. 21):—

1. What has been the total cost of the Royal Commission on Education from its appointment to date. 2. What has been paid to members of the Commission and staff for: (a) Salary and honoraria; (b) Travelling expenses; (c) Counsel fees; (d) All other expense.

The Minister of Education replied as follows:—

1. \$156,177.74 up to and including February 28th, 1949. 2. (a) \$83,117.05; (b) \$19,440.42; (c) \$20,250.00; (d) Nil.

Mr. Newman asked the following Question (No. 32):—

(a) From how many estates from \$25,000 to \$50,000 passing to lineal descendants have Succession Duties been collected during the fiscal year 1948-49 to date; (b) What amount of taxes was collected from such estates.

The Provincial Treasurer replied as follows:—

(a) For 10 months ended 31st January, 1949—1,040 estates; (b) \$432,723.23.

Mr. Millard asked the following Question (No. 44):—

As of December 31st, 1948, how many teachers and inspectors were in receipt of annual allowances under The Teachers' and Inspectors' Superannuation Act, in the amounts of (a) \$100 or less; (b) More than \$100 but not more than \$200; (c) More than \$200 but not more than \$300; (d) More than \$300 but not more than \$400; (e) More than \$400 but not more than \$500; (f) More than \$500 but not more than \$600; (g) More than \$600 but not more than \$700; (h) More than \$700 but not more than \$800; (i) More than \$800 but not more than \$900; (j) More than \$900 but not more than \$1,000; (k) More than \$1,000 but not more than \$1,100; (l) More than \$1,100 but not more than \$1,200; (m) More than \$1,200 but not more than \$1,300; (n) More than \$1,300 but not more than \$1,400; (o) More than \$1,400 but not more than \$1,500; (p) More than \$1,500.

The Minister of Education replied as follows:—

	Total
(a) Under \$100.....	3
(b) \$ 100—\$ 200.....	58
(c) 200— 300.....	240
(d) 300— 400.....	304
(e) 400— 500.....	200
(f) 500— 600.....	236
(g) 600— 700.....	205

	Total
(h) 700— 800.....	204
(i) 800— 900.....	161
(j) 900— 1,000.....	156
(k) 1,000— 1,100.....	204
(l) 1,100— 1,200.....	265
(m) 1,200— 1,300.....	65
(n) 1,300— 1,400.....	24
(o) 1,400— 1,500.....	87
(p) More than \$1,500.....	0
	<hr/> 2,412

Mr. Easton asked the following Question (No. 48):—

1. What is the actual amount spent each year since 1940 by the Hydro-Electric Power Commission on printing and publishing the Bulletin known as "Hydro News". 2. What is the annual cost of publishing "Staff News".

The 1st Vice-Chairman of the Hydro-Electric Power Commission of Ontario replied as follows:—

1. The monthly magazine, "Hydro News", was first published in June, 1942. Its circulation includes, in addition to Commission and Municipal Hydro officials and staff, certain Government personnel, libraries, secondary schools, and a number of interested organizations and individuals in Canada, the United States, and in various commonwealth countries. The amount expended since June, 1942 on the printing and publishing of the magazine known as "Hydro News" is as follows:—

Fiscal Year	Cost per Year	Yearly Circulation
1942 (five issues).....	\$ 7,387.39	24,500
1943.....	18,910.12	56,700
1944.....	21,214.19	58,300
1945.....	26,245.49	60,100
1946.....	28,189.62	66,900
1947.....	29,762.07	83,350
1948.....	32,669.88	88,250

2. The "Hydro Staff News", now published every two months, was first produced in December, 1947, and the cost for seven issues to the end of the fiscal year 1948 was \$12,983.80, with a total circulation of 30,800 during that period.

Mr. Walker asked the following Question (No. 59):—

1. What was the total cost to the Department of Education of the Public

School Building at Moosonee. 2. Were tenders called for this construction, and if so, give names and amounts of all bids indicating which tender was accepted. 3. Were any extras paid to the contractor. 4. How many classrooms does this school contain.

The Minister of Education replied as follows:—

1. \$113,510.63. 2. Yes, but no firm bids were received. Failing a firm bid, the Department authorized Ontario Northland Transportation Commission to build the school at cost. 3. No. 4. Two standard classrooms, one room for Industrial Arts and Crafts, one room for Home Economics and a playroom-auditorium which is used also as a community centre. In addition, there are the usual office and other accommodations.

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Mr. Houck asked the following Question (No. 64):—

1. What amounts were expended by the Hydro-Electric Power Commission on development or construction work on the Ottawa River new power developments during 1948. 2. What was the cost of the work done for the Hydro-Electric Power Commission by (a) Stone and Webster, (b) G. T. Clarkson, (c) Harold Hobson.

The 1st Vice-Chairman of the Hydro-Electric Power Commission of Ontario replied as follows:—

1. Des Joachims power development . . . . .	\$19,187,937.97
Chenau power development . . . . .	4,908,682.48
La Cave power development . . . . .	1,223,976.02
	<hr/>
	\$25,320,596.47

2. Cost of work performed January 1st to December 31st, 1948: (a) Stone & Webster, \$22,277.21; (b) G. T. Clarkson (Clarkson, Gordon & Co.), \$57,399.62 (exclusive of fee for government audit); (c) Harold Hobson, \$5,553.05.

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Mr. Houck asked the following Question (No. 65):—

(a) Does the Government or the Hydro-Electric Power Commission of Ontario pay for the broadcasts made by Chairman Saunders; (b) If so, what is the cost; (c) Does the Government or the Hydro-Electric Power Commission pay for the newspaper advertising in connection therewith. If so, what amount has been expended in this connection.

The 1st Vice-Chairman of the Hydro-Electric Power Commission of Ontario replied as follows:—

(a) The Hydro-Electric Power Commission of Ontario. (b) Outlying Station Broadcasts, \$434.36; Recordings, production and time charges, \$558.60; total \$992.96. (c) The Hydro-Electric Power Commission of Ontario, \$7,496.97.

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Mr. Houck asked the following Question (No. 69):—

What per cent increase over peak demand will the plants under construction and authorized by the Hydro-Electric Power Commission supply.

The 1st Vice-Chairman of the Hydro-Electric Power Commission of Ontario replied as follows:—

This question is unanswerable in its present form as both present and future peak demands can only be estimated. However, the plants now under construction and authorized will supply a peak demand approximately 54.4 per cent greater than the peak supplied in December, 1948, which was 1,688,000 kilowatts (2,263,000 horsepower).

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Mr. McMillan asked the following Question (No. 83):—

What are the names and salaries of the teaching staff at the Ontario College of Education.

The Minister of Education replied as follows:—

Names	Salaries
A. C. Lewis.....	\$7,000
W. G. Bennett.....	5,500
E. L. Daniher.....	5,500
B. C. Diltz.....	5,500
J. A. Long.....	5,500
C. E. Phillips.....	5,500
Miss H. B. St. John.....	5,500
Miss H. L. Bryans.....	4,700
A. G. Croal.....	5,000
Miss R. Dean.....	5,000
F. W. Halbus.....	5,025
H. A. McGuire.....	5,000
M. D. Parmenter.....	5,100
J. H. Passmore.....	4,600
P. A. Petrie.....	5,000
R. D. Phillips.....	5,000
Miss R. Ratz.....	4,800
L. R. Bell.....	4,500
H. M. Fowler.....	4,200
B. C. Taylor.....	4,200
G. S. Apperley.....	4,500
G. N. Bramfitt.....	4,500

Names	Salaries
Miss H. Dickin .....	3,000
H. A. King .....	4,500
T. H. G. Luther .....	3,000
A. T. McLachlan .....	4,500
J. C. Spry .....	3,700
P. H. Tacon .....	4,400
Griffith Taylor .....	2,500

(NOTE: This is part salary. Professor Taylor is employed also in the Faculty of Arts.)

In addition, each of the above, in common with other full-time employees of the University of Toronto, receives a cost-of-living bonus of \$12 per month.

Mr. Millard asked the following Question (No. 86):—

1. What was the cost of the bridge and monument at the eastern terminus of the Queen Elizabeth Way. 2. Was the land immediately to the south thereof sold or leased to Christie Biscuits Limited, by the Government or any department or agency thereof. 3. If so, what was the consideration. 4. Was there any restriction, term or condition attached to the use of said land. 5. Was the Department of Planning and Development given prior notice of the transaction.

The Minister of Highways replied as follows:—

1. \$329,208.69. 2. The land was sold to Christie Brown and Company Ltd. 3. \$250,000. 4. No. 5. No.

Mr. Dowling asked the following Question (No. 95):—

How many certifications were granted and how many rejected by the Ontario Labour Relations Board in each of the years from 1943 to 1948, inclusive.

The Minister of Labour replied as follows:—

Fiscal Year	Granted	Rejected
1943-44 .....	(Board not operating)	
1944-45 .....	161	23
1945-46 .....	255	64
1946-47 .....	378	133
1947-48 .....	387	127

Before the Orders of the Day, Mr. Jolliffe, Leader of His Majesty's Loyal Opposition, congratulated Miss Macphail, the Member for the Electoral District of York East, on her birthday, in which he was joined by Mr. Frost, Acting Prime Minister, Mr. Oliver, Leader of the Liberal Party, and Mr. MacLeod.

On motion by Miss Macphail, seconded by Mr. Frost,

*Resolved,*

That the members of the Legislative Assembly of the Province of Ontario, now assembled, desire to express their high regard for the people of Newfoundland and to convey to them, on behalf of the people of Ontario, most sincere and cordial greeting; And that this House place on record our appreciation of the deep historic significance of approaching events whereby Ontario, one of the first provinces, will be joined in Confederation by a tenth province, and our sense of pride in being more closely associated hereafter with the worthy people of that great island; And further that this Resolution be engrossed and forwarded by the Speaker of this House to the Speaker of the Legislature of Newfoundland, as soon as he may be elected, in token of the wholehearted welcome it is desired, on behalf of the people of Ontario, to extend to Newfoundland and its people.

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The Order of the Day for the Second Reading of Bill (No. 5), An Act to incorporate The Institute of Accredited Public Accountants of Ontario, having been read, it was, on motion by Mr. Porter,

*Ordered,* That the Order be discharged and the Bill withdrawn; also that all fees be remitted with respect to the said Bill.

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The following Bills were severally read the second time:—

Bill (No. 28), An Act respecting the Township of East York.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 30), An Act respecting the City of Owen Sound.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 32), An Act respecting the Township of Sandwich West.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 33), An Act respecting the City of St. Catharines.

Referred to a Committee of the Whole House to-morrow.

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The House resolved itself into a Committee to consider a certain Resolution and certain Bills.

Mr. Frost acquainted the House that the Honourable the Lieutenant-Governor, having been informed of the subject matter of the Resolution, recommends it to the consideration of the House.

After some time, Mr. Speaker resumed the Chair, and Mr. Patrick reported that the Committee had come to a certain Resolution as follows:—

*Resolved,*

1. That the Lieutenant-Governor in Council be authorized to raise from time to time by way of loan such sum or sums of money as may be deemed expedient for any or all of the following purposes, that is to say: For the public service, for works carried on by commissioners on behalf of Ontario, for discharging any indebtedness or obligation of Ontario or for reimbursing the Consolidated Revenue Fund for any moneys expended in discharging any such indebtedness or obligation, and for the carrying on of the public works authorized by the Legislature; Provided that the principal amount of any securities issued and the amount of any temporary loans raised under the authority of Bill (No. 160), *An Act for Raising Money on the Credit of the Consolidated Revenue Fund*, including any securities issued for the retirement of the said securities or temporary loans, at any time outstanding, shall not exceed in the whole One Hundred Million Dollars (\$100,000,000).
2. That the aforesaid sum of money may be borrowed for any term or terms not exceeding forty years, at such rate as may be fixed by the Lieutenant-Governor in Council and shall be raised upon the credit of the Consolidated Revenue Fund of Ontario, and shall be chargeable thereupon.
3. That the Lieutenant-Governor in Council may provide for a special sinking fund with respect to the issue herein authorized, and such sinking fund may be at a greater rate than the one-half of one per centum per annum specified in subsection 3 of section 3 of *The Provincial Loans Act*.

Also, That the Committee had directed him to report the following Bills without amendment:—

Bill (No. 104), An Act to amend The Assessment Act.

Bill (No. 130), An Act to amend The Public Utilities Act.

Bill (No. 131), An Act to amend The Department of Municipal Affairs Act

Bill (No. 133), An Act to amend The Municipal Act.

Bill (No. 140), An Act to amend The Ontario Municipal Board Act.

Bill (No. 141), An Act to amend The Local Improvement Act.

and to report the following Bills with certain amendments:—

Bill (No. 107), The Fire Departments Act, 1949.

Bill (No. 108), The Police Act, 1949.

*Ordered,* That the Report be now received and adopted and that the Bills reported be severally read the third time to-morrow.



The House, according to Order, resolved itself into the Committee of Supply.

*(In the Committee)*

*Resolved*, That there be granted to His Majesty, for the services of the fiscal year ending March 31st, 1950, the following sums:—

146. To defray the expenses of the Main Office, Department of Provincial Treasurer . . . . .	\$ 272,100.00
147. To defray the expenses of the Bureau of Statistics and Research Branch . . . . .	64,900.00
148. To defray the expenses of the Motion Picture Censorship and Theatre Inspection . . . . .	75,750.00
149. To defray the expenses of the Controller of Revenue . . . . .	540,900.00
150. To defray the expenses of the Post Office . . . . .	304,000.00
151. To defray the expenses of the Main Office, Department of Provincial Treasurer . . . . .	1,751,600.00
161. To defray the expenses of the Main Office, Department of Public Works . . . . .	414,200.00
162. To defray the expenses of the General Superintendence . . . . .	87,000.00
163. To defray the expenses of the Lieutenant-Governor's Apartment . . . . .	6,500.00
164. To defray the expenses of the Legislative and Departmental Buildings . . . . .	1,153,000.00
165. To defray the expenses of the Osgoode Hall . . . . .	92,800.00
166. To defray the expenses of the Government Buildings . . . . .	888,500.00
167. To defray the expenses of the Ontario Government Branch Office Buildings . . . . .	178,000.00
168. To defray the expenses of the Maintenance of Locks, Bridges, Dams and Docks, etc. . . . .	80,000.00
169. To defray the expenses of the Miscellaneous . . . . .	25,000.00
170. To defray the expenses of the Public Buildings . . . . .	6,757,000.00
171. To defray the expenses of the Dams, Docks and Drainage Works . . . . .	228,000.00
172. To defray the expenses of the Miscellaneous . . . . .	1,515,000.00

Mr. Speaker resumed the Chair; and Mr. Patrick reported, That the Committee had come to several Resolutions; also, That the Committee had directed him to ask for leave to sit again.

*Ordered*, That the Report be received to-morrow.

*Resolved*, That the Committee have leave to sit again to-morrow.

And the House having continued to sit until Twelve of the Clock midnight,

FRIDAY, MARCH 25TH, 1949.

The Order of the Day for the Second Reading of Bill (No. 45), An Act to amend The Workmen's Compensation Act, having been read,

Mr. Thomas (Ontario) moved that the Bill be now read a second time, and, a debate arising, after some time the Motion having been put was lost on the following Division:—

## YEAS

Dennison	Jolliffe	Taylor
Dowling	MacLeod	Temple
Easton	Millard	Thomas
Fell	Park	(Ontario)
Harvey	Robinson	Thornberry
(Sault Ste. Marie)	Salsberg	Walters
Isley	Scott	Wismer—19
	(Beaches)	

## NAYS

Allen	Gordon	Nault
Baxter	Griesinger	Nixon
Blackwell	Hall	Oliver
Brown	Hamilton	Parry
Calder	Hanna	Patrick
Cathcart	Harvey	Phillips
Cecile	(Nipissing)	Porter
Challies	Houck	Pringle
Chartrand	Hunt	Pryde
Cox	Janes	Robson
Daley	Johnston	Sandercock
Doucett	(Simcoe Centre)	Scott
Downer	Kelley	(Peterborough)
Dunbar	Mackenzie	Stewart
Edwards	Martin	Thomas
Foote	Morrow	(Elgin)
Foster	Murdoch	Villeneuve
Frost	McDonald	Walker
Gemmell	McEwing	Welsh
Goodfellow	McPhee	White—56

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The Order of the Day for the Second Reading of Bill (No. 82), An Act to amend The Workmen's Compensation Act, having been read,

Mr. Dowling moved that the Bill be now read a second time. The Motion having been put was lost on the following Division:—

## YEAS

Baxter	Harvey	Salsberg
Brown	(Sault Ste. Marie)	Scott
Calder	Houck	(Beaches)
Chartrand	Isley	Taylor
Cox	Jolliffe	Temple
Dennison	MacLeod	Thomas
Dowling	Millard	(Ontario)
Easton	McEwing	Thornberry
Fell	Oliver	Walker
Foster	Park	Walters
Gordon	Robinson	Wisner—30

## NAYS

Allen	Hamilton	Parry
Blackwell	Hanna	Patrick
Cathcart	Harvey	Phillips
Cecile	(Nipissing)	Porter
Challies	Hunt	Pringle
Daley	Janes	Pryde
Doucett	Johnston	Robson
Downer	(Simcoe Centre)	Sandercock
Dunbar	Kelley	Scott
Edwards	Mackenzie	(Peterborough)
Foote	Martin	Stewart
Frost	Morrow	Thomas
Gemmell	Murdoch	(Elgin)
Goodfellow	McDonald	Villeneuve
Griesinger	McPhee	Welsh
Hall	Nault	White—44

The Order of the Day for the Second Reading of Bill (No. 84), An Act to amend The Workmen's Compensation Act, having been read.

Mr. Walker moved that the Bill be now read a second time. The Motion having been put was lost on the following Division:—

## YEAS

Baxter	Harvey	Salsberg
Brown	(Sault Ste. Marie)	Scott
Calder	Houck	(Beaches)
Chartrand	Isley	Taylor
Cox	Jolliffe	Temple
Dennison	MacLeod	Thomas
Dowling	Millard	(Ontario)
Easton	McEwing	Thornberry
Fell	Oliver	Walker
Foster	Park	Walters
Gordon	Robinson	Wisner—30

## NAYS

Allen	Hamilton	Parry
Blackwell	Hanna	Patrick
Cathcart	Harvey (Nipissing)	Phillips
Cecile		Porter
Challies	Hunt	Pringle
Daley	Janes	Pryde
Doucett	Johnston (Simcoe Centre)	Robson
Downer		Sandercock
Dunbar	Kelley	Scott (Peterborough)
Edwards	Mackenzie	
Foote	Martin	Stewart
Frost	Morrow	Thomas (Elgin)
Gemmell	Murdoch	
Goodfellow	McDonald	Villeneuve
Griesinger	McPhee	Welsh
Hall	Nault	White—44

The Order of the Day for the Second Reading of Bill (No. 36), An Act to amend The Workmen's Compensation Act, having been read,

Mr. Isley moved that the Bill be now read a second time, and, a debate arising, after some time the Motion having been put was lost on the following Division:—

## YEAS

Baxter	Harvey (Sault Ste. Marie)	Salsberg
Brown		Scott (Beaches)
Calder	Houck	
Chartrand	Isley	Taylor
Cox	Jolliffe	Temple
Dennison	MacLeod	Thomas (Ontario)
Dowling	Millard	
Easton	McEwing	Thornberry
Fell	Oliver	Walker
Foster	Park	Walters
Gordon	Robinson	Wisner—30

## NAYS

Allen	Frost	Johnston (Simcoe Centre)
Blackwell	Gemmell	
Cathcart	Goodfellow	Kelley
Cecile	Griesinger	Mackenzie
Challies	Hall	Martin
Daley	Hamilton	Morrow
Doucett	Hanna	Murdoch
Downer	Harvey (Nipissing)	McDonald
Dunbar		McPhee
Edwards	Hunt	Nault
Foote	Janes	Parry

## NAYS—Continued

Patrick  
Phillips  
Porter  
Pringle  
Pryde

Robson  
Sandercock  
Scott  
(Peterborough)  
Stewart

Thomas  
(Elgin)  
Villeneuve  
Welsh  
White—44

The Order of the Day for the Second Reading of Bill (No. 139), An Act to amend The Workmen's Compensation Act, having been read,

Mr. Fell moved that the Bill be now read a second time, and a debate arising, after some time the Motion having been put was declared to be lost.

The House then adjourned at 3.00 a.m.

## FRIDAY, MARCH 25TH, 1949

PRAYERS.

1.30 O'CLOCK P.M.

The following Bills were introduced and read the first time:—

Bill (No. 169), intituled, "An Act respecting certain Charitable and other Gifts." *Mr. Frost.*

*Ordered,* That the Bill be read the second time on Monday next.

Bill (No. 170), intituled, "An Act to amend The Liquor Licence Act, 1946." *Mr. Millard.*

*Ordered,* That the Bill be read the second time on Monday next.

Bill (No. 171), intituled, "An Act to amend The Securities Act, 1947." *Mr. Blackwell.*

*Ordered,* That the Bill be read the second time on Monday next.

Bill (No. 172), intituled, "The Statute Law Amendment Act, 1949." *Mr. Blackwell.*

*Ordered,* That the Bill be read the second time on Monday next.

Bill (No. 173), intituled, "An Act to provide for the Establishment of the Alcoholism Research Foundation." *Mr. Kelley.*

*Ordered,* That the Bill be read the second time on Monday next.

Bill (No. 174), intituled, "An Act to amend The Crown Timber Act." *Mr. Scott (Peterborough).*

*Ordered,* That the Bill be read the second time on Monday next.

Bill (No. 175), intituled, "An Act to amend The Highway Traffic Act."  
*Mr. Doucett.*

*Ordered*, That the Bill be read the second time on Monday next.

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Mr. Oliver asked the following Question (No. 97):—

How many Orders-in-Council have been passed in each year since March 31st, 1944.

The Provincial Secretary replied as follows:—

April 1st, 1944 to March 31st, 1945, 1,649; April 1st, 1945, to March 31st, 1946, 1,622; April 1st, 1946, to March 31st, 1947, 2,065; April 1st, 1947, to March 31st, 1948, 2,214; April 1st, 1948, to March 17th, 1949, 2,146.

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The Order of the Day for the Third Reading of Bill (No. 78), An Act to amend The Lakes and Rivers Improvement Act, having been read, on motion by Mr. Scott (Peterborough),

*Ordered*, That the Order be discharged, and that the Bill be forthwith again referred to a Committee of the Whole House for further consideration.

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The following Bills were severally read the third time and were passed:—

Bill (No. 134), An Act to amend The Forest Management Act, 1947.

Bill (No. 136), An Act to amend The Forest Fires Prevention Act, 1948.

Bill (No. 132), The Teachers' Superannuation Act, 1949.

Bill (No. 122), An Act to amend The Power Commission Act.

Bill (No. 125), An Act to amend The Companies Act.

Bill (No. 143), An Act to amend The Boards of Education Act.

Bill (No. 144), An Act to amend The College of Art Act.

Bill (No. 145), An Act to amend The Continuation Schools Act.

Bill (No. 146), An Act to amend The High Schools Act.

Bill (No. 147), An Act to amend The Public Libraries Act.

Bill (No. 148), An Act to amend The Public Schools Act.

Bill (No. 149), An Act to amend The Separate Schools Act.

Bill (No. 152), An Act to amend The Change of Name Act, 1948.

Bill (No. 153), An Act to Provide for the Consolidation of the Regulations filed under The Regulations Act, 1944.

Bill (No. 154), An Act to amend The Insurance Act.

Bill (No. 155), An Act to amend The Companies Act.

Bill (No. 156), An Act to amend The Registry Act.

Bill (No. 150), An Act to amend The Teachers' Boards of Reference Act, 1946.

Bill (No. 151), An Act to amend The School Sites Act.

Bill (No. 16), An Act respecting the City of Peterborough.

Bill (No. 18), An Act respecting the Cornwall Street Railway, Light and Power Company, Limited.

Bill (No. 19), An Act to incorporate the Village of Wasaga Beach.

Bill (No. 34), An Act respecting Canada Comforter Company Limited.

Bill (No. 11), An Act respecting the City of London.

Bill (No. 17), An Act respecting the Township of Etobicoke.

Bill (No. 22), An Act respecting Sarnia Young Men's and Young Women's Christian Association.

Bill (No. 24), An Act respecting the Canadian National Exhibition Association.

Bill (No. 21), An Act respecting the Township of Kingston.

Bill (No. 27), An Act respecting the Town of Tecumseh.

Bill (No. 31), An Act respecting the City of Ottawa.

Bill (No. 107), The Fire Departments Act, 1949.

Bill (No. 104), An Act to amend The Assessment Act.

Bill (No. 130), An Act to amend The Public Utilities Act.

Bill (No. 131), An Act to amend The Department of Municipal Affairs Act.

Bill (No. 133), An Act to amend The Municipal Act.

Bill (No. 140), An Act to amend The Ontario Municipal Board Act.

Bill (No. 141), An Act to amend The Local Improvement Act.

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The Order of the Day for the Third Reading of Bill (No. 108), The Police Act, 1949, having been read,

Mr. Blackwell moved that the Bill be now read a third time.

Mr. Park moved in amendment, seconded by Mr. Wismer, That the Bill be not now read a third time but be referred back to the Committee of the Whole House with instructions to amend it by the addition of the following section:—

49a (1) Where the services of the Ontario Provincial Police Force are requested by a Crown Attorney or by a board as provided in Sections 48 and 49, in connection with an industrial dispute in any municipality for the policing of which a board or Council is responsible, the authorization of the Council of the municipality must be obtained before such request is communicated to the Commissioner or the Attorney-General.

(2) Before the Commissioner or the Attorney-General shall agree to a request made under the provisions of Section 48 or 49 in connection with an industrial dispute, they shall consult with the Minister of Labour, and a conciliation officer of the Department of Labour shall accompany and advise the officer commanding any group of members of the Ontario Provincial Police Force whose services are provided.

Mr. Speaker, having read the proposed amendment to the House, called the attention of Mr. Park to the fact that the same amendment, couched in exactly the same terms, had been offered by him when the Bill in question was being considered by Committee of the Whole House on Thursday, the 24th instant, and had been refused passage. He pointed out that Rule No. 49 of the Assembly provided that "no motion, or amendment, the subject matter of which has been decided upon, can be again proposed during the same Session."

Mr. Speaker therefor ruled that the amendment submitted was out of order and could not be presented for consideration by the House.

The Motion for Third Reading of the Bill having then been put was carried on the following Division:—



## YEAS

Baxter	Goodfellow	Nault
Blackwell	Gordon	Nixon
Brown	Griesinger	Oliver
Calder	Hall	Parry
Cathcart	Hamilton	Patrick
Cecile	Hanna	Phillips
Challies	Harvey	Porter
Chartrand	(Nipissing)	Pryde
Cox	Houck	Robson
Daley	Hunt	Sandercock
Dempsey	Janes	Scott
Dent	Johnston	(Peterborough)
Doucett	(Simcoe Centre)	Stewart
Dunbar	Kelley	Thomas
Edwards	Martin	(Elgin)
Foote	Morrow	Villeneuve
Foster	Murdoch	Walker
Frost	McDonald	Welsh
Fullerton	McEwing	White—55
Gemmell	McPhee	

## NAYS

Dennison	Jolliffe	Taylor
Dowling	Leavens	Temple
Ellis	MacLeod	Thomas
Fell	Millard	(Ontario)
Harvey	Park	Thornberry
(Sault Ste. Marie)	Robinson	Walters
Isley	Salsberg	Wisner—19

and the Bill was accordingly read the third time and was passed.

The House resolved itself into a Committee to consider certain Bills, and, after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Stewart reported,

That the Committee had directed him to report the following Bills without amendment:—

Bill (No. 28), An Act respecting the Township of East York.

Bill (No. 30), An Act respecting the City of Owen Sound.

Bill (No. 32), An Act respecting the Township of Sandwich West.

Bill (No. 33), An Act respecting the City of St. Catharines.

*Ordered*, That the Bills reported be severally read the third time on Monday next.

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The House, according to Order, resolved itself into the Committee of Supply.

*(In the Committee)*

*Resolved*, That there be granted to His Majesty, for the services of the fiscal year ending March 31st, 1950, the following sums:—

- |  |              |
|--|--------------|
| 135. To defray the expenses of the Companies Branch, Department of Provincial Secretary..... | \$177,495.00 |
| 136. To defray the expenses of the Cabinet office.....                                       | 69,240.00    |

Mr. Speaker resumed the Chair; and Mr. Stewart reported, That the Committee had come to certain Resolutions; also, That the Committee had directed him to ask for leave to sit again.

*Ordered*, That the Report be received to-morrow.

*Resolved*, That the Committee have leave to sit again to-morrow.

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The Provincial Secretary presented to the House, by command of the Honourable the Lieutenant-Governor:—

Return to the Order of the House dated March 17th, 1949, that there be laid before this House a Return showing: What was the Hydro-Electric Power Commission peak demand for power in the years 1942, 1943, 1944, 1945, 1946, 1947 and 1948. (*Sessional Paper No. 50.*)

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The House then adjourned at 3.35 p.m.

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MONDAY, MARCH 28TH, 1949

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PRAYERS.

3 O'CLOCK P.M.

The following Bills were severally introduced and read the first time:—

Bill (No. 176), intituled, "An Act to amend The Game and Fisheries Act, 1946." *Mr. Scott* (Peterborough).

*Ordered*, That the Bill be read the second time to-morrow.

Bill (No. 177), intituled, "An Act to amend The Real Estate and Business Brokers Act, 1946." *Mr. Blackwell.*

*Ordered,* That the Bill be read the second time to-morrow.

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Mr. Calder asked the following Question (No. 26):—

What provision has been made by the Provincial Government since 1943 for the education or training of "spastic" or cerebral palsy children in Ontario.

The Minister of Health replied as follows:—

The Department of Health financially assists the Ontario Society for Crippled Children, who operate three camps especially organized to care for such children. In the last two years, the largest single group attending such camps were children with cerebral palsy. The Government pays a per diem grant toward the cost of maintaining these camps.

During the past year, the Ontario Government granted this Society \$40,000.00 towards the cost of a special residential training school for cerebral palsy children located at Woodeden near London. Arrangements are now complete for the opening of this school next fall. So far as can be ascertained, this will be the first residential training school for cerebral palsy children in Canada.

The Department of Education provides advice sheets and pamphlets to parents of cerebral palsy children and to teachers of special classes where such children are being trained. Cerebral palsy children are admitted to all the special classes for crippled children. The number of children suffering from this type of crippling who are in attendance at such classes has risen from 69 in 1943 to 101 in 1948.

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Mr. McEwing asked the following Question (No. 27):—

What has been the total expenditure in connection with Ontario House since its establishment, showing both expenditures in England and in Canada.

The Provincial Secretary replied as follows:—

To January 31st, 1949: In England, \$900,744.19; In Canada, \$120,043.02; Total, \$1,020,787.21.

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Mr. Ellis asked the following Question (No. 45):—

1. On what date was a contract let for the construction of a steam electric plant at Windsor. 2. To whom was the contract let. 3. At what price. 4. What is the completion date of the contract. 5. If no completion date is fixed, what is the estimated completion date.

The 1st Vice-Chairman of the Hydro-Electric Power Commission of Ontario replied as follows:—

1, 2 and 3. No contract has been let for the construction of a steam electric plant at Windsor. However, after competitive tenders were called for and received the following contracts were let for certain equipment of the Windsor Steam Plant: English Electric Co., Stafford, England—For two 60,000 kw. turbine generators at a price of \$3,024,904; Babcock-Wilcox and Goldie McCulloch, Galt, Ontario—For two steam generator units (650,000 pounds per hour) at a price of \$1,989,990; Peacock Bros., Montreal, Quebec—For two surface condensers and appurtenances at a price of \$207,397. 4. Ready for service—1st unit, September, 1951; 2nd unit, November, 1951.

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Mr. Houck asked the following Question (No. 62):—

What amounts of Hydro-Electric energy are being exported at the present time to the United States and at what price.

The 1st Vice-Chairman of the Hydro-Electric Power Commission of Ontario replied as follows:—

#### FIRM CONTRACT

The Commission has no information regarding power exported by other companies. Under a firm contract acquired with the purchase of the Ontario Power Company, the Commission is obliged to export 45,000 kilowatts to the Niagara Lockport and Ontario Power Company at a price of \$16.76 per kilowatt-hour for 40,000 kilowatts and 2.5 mills per kilowatt-hour for the remainder, all in U.S. funds. Present international arrangements permit the diversion from the Niagara River for power production purposes of 56,500 cubic feet per second on the Canadian side and 32,500 cubic feet per second on the American side. In allowing the greater diversion on the Canadian side the following factors were considered: the Ogoki diversion, the Long Lac diversion, the additional 2,500 cubic feet per second during the non-navigation season, and the export of power to the United States under the above contract.

#### SURPLUS EXPORT

Whenever demand and supply conditions on the Commission's system are such that power would be wasted, unless load in addition to the total Ontario demand is found, the surplus is disposed of by export. The price obtained for surplus export varies according to the class of power which it replaces. The average gross price obtained during February, 1949, was approximately 3.5 mills per kilowatt-hour, partly in U.S. funds and partly in Canadian funds. The average net price obtained after paying the export tax of 0.3 mills per kilowatt-hour was 3.2 mills per kilowatt-hour.

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Mr. McMillan asked the following Question (No. 68):—

(a) What amounts of travelling expenses were paid to Mr. R. D. Hearn

by the Hydro-Electric Power Commission of Ontario since his appointment as General Manager; (b) What amounts of salaries and travelling expenses were paid to each member of the Hydro-Electric Power Commission during the years 1944, 1945, 1946, 1947, 1948 and 1949 to date.

The 1st Vice-Chairman of the Hydro-Electric Power Commission of Ontario replied as follows:—

(a) \$2,096.78.

(b)	1944	1945	1946	1947	1948	To Feb. 28, 1949
Mr. R. H. Saunders—						
Salary.....					\$11,666.70	\$4,666.68
Travelling Expenses.....					1,795.81	93.85
Hon. G. H. Challies—						
Salary.....	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00	8,000.00	2,666.68
Travelling Expenses.....	52.90	64.19	42.02	60.20	102.90	.....
Mr. W. Ross Strike—						
Salary.....	2,437.50	5,083.32	8,000.00	8,000.00	8,000.00	2,666.68
Travelling Expenses.....	25.75	104.52	47.85	62.42	188.90	.....
Dr. T. H. Hogg—						
Salary.....	25,000.00	25,000.00	25,000.00	12,500.02	.....	.....
Travelling Expenses.....	2,607.87	1,005.83	1,949.73	463.20	.....	.....

Mr. Calder asked the following Question (No. 78):—

1. What amounts of money have been paid to mining municipalities since the Mining Tax was raised by The Mining Tax Amendment Act, 1947, for the purpose of providing such Municipal Aid. 2. On what dates were such grants made. 3. To what municipalities. 4. For what purposes. 5. What is the basis of making such grants.

The Minister of Municipal Affairs replied as follows:—

1, 2 and 3—

1948	Mar. 18th—Timmins.....	\$11,080.52
1948	Oct. 9th—Timmins.....	25,682.43
1948	Mar. 18th—Tisdale.....	12,604.13
1948	Oct. 9th—Tisdale.....	33,084.53
1948	Mar. 18th—Teck Township.....	11,334.82
1948	Oct. 9th—Teck Township.....	60,222.46
1948	Mar. 18th—Whitney.....	5,766.86
1948	Oct. 9th—Whitney.....	14,224.57
1948	Dec. 10th—Geraldton.....	10,000.00
1948	June 18th—Larder Lake.....	6,000.00
1948	Oct. 9th—Matachewan.....	2,462.11
1948	Oct. 9th—Beardmore.....	2,238.19
		<hr/> \$194,700.62

4. For the purpose of assisting the municipality and local boards in financing their local expenditures. 5. Need of the municipality.

Mr. Oliver asked the following Question (No. 81):—

What amounts have been expended to date from the \$10,000 voted in the 1948-49 Estimates, Vote 142, Item 1—Government Hospitality Fund.

The Provincial Secretary replied as follows:—

To 25th March, 1949, \$7,793.64.

Mr. Dennison asked the following Question (No. 84):—

In each year since 1935 what has been the annual revenue, annual expenditure, the amount of funds set aside for sinking fund, and amount of funds set aside for reserves in respect of the Abitibi Canyon property, operated by the Hydro-Electric Power Commission in trust for the province.

The 1st Vice-Chairman of the Hydro-Electric Power Commission of Ontario replied as follows:—

Assuming that this Question refers to the Abitibi District it is considered that the following tabulations supply the requested information.

# ABITIBI DISTRICT

## Revenue, Operating Expenses and Provision for Reserves 1935 to 1948

	1935	1936	1937	1938	1939
Revenue.....	\$ 935,790.53	\$1,411,107.22	\$2,013,396.99	\$2,354,734.21	\$2,976,249.68
Operating Expenses and Provision for Reserves:					
Operating Expenses..	1,041,027.04	1,175,534.09	1,264,550.52	1,288,298.63	1,394,684.11
Provision for Sinking Fund.....	243,590.80	269,780.82	686,055.02	279,681.52	857,656.26
Provision for Reserves	166,268.93	188,750.34	330,211.45	772,305.79	467,278.19
Total Operating Expenses and Reserves.	\$1,450,886.77	\$1,634,065.25	\$2,280,816.99	\$2,340,285.94	\$2,719,618.56
Operating Deficit.....	\$515,096.24	\$222,958.03	\$267,420.00		
Operating Surplus.....				\$14,448.27	\$256,631.12
	1940	1941	1942	1943	1944
Revenue.....	\$3,643,758.53	\$3,918,643.14	\$3,824,858.55	\$3,601,835.04	\$3,242,636.06
Operating Expenses and Provision for Reserves:					
Operating Expenses..	1,556,804.46	1,635,107.40	1,747,165.59	1,613,510.13	1,587,402.64
Provision for Sinking Fund.....	776,822.96	798,633.27	812,483.23	816,150.06	799,492.42
Provision for Reserves	481,903.09	492,187.66	535,338.12	537,104.58	528,040.72
Total Operating Expenses and Reserves.	\$2,815,530.51	\$2,925,928.33	\$3,094,986.94	\$2,966,764.77	\$2,914,935.78
Operating Surplus.....	\$828,228.02	\$992,714.81	\$729,871.61	\$635,070.27	\$327,700.28
	1945	1946	1947	1948	
Revenue.....	\$2,940,101.12	\$2,520,296.92	\$2,963,840.07	\$3,097,433.61	
Operating Expenses and Provision for Reserves:					
Operating Expenses.....	1,610,644.77	1,690,084.66	1,763,516.28	1,894,189.42	
Provision for Sinking Fund.....	773,844.29	778,508.72	784,744.36	811,188.29	
Provision for Reserves.....	528,816.23	260,952.51	342,731.10	270,372.34	
Total Operating Expenses and Reserves	\$2,913,305.29	\$2,729,545.89	\$2,890,991.74	\$2,975,750.05	
Operating Deficit.....		\$209,248.97			
Operating Surplus.....	\$26,795.83		\$72,848.33	\$121,683.56	

Mr. Dennison asked the following Question (No. 85):—

1. From whom has the Hydro-Electric Power Commission purchased cross-arms and pole line hardware since January 1st, 1944. 2. In what amounts have such purchases been made from each supplier in each year. 3. Which of the above suppliers were manufacturers of the materials purchased.

The 1st Vice-Chairman of the Hydro-Electric Power Commission of Ontario replied as follows:—

1 and 2—

Crossarms	1944	1945	1946	1947	1948
B.C. Crossarm Co.....	\$37,000	\$84,400	\$201,740	\$526,100	\$411,435
J. B. Smith & Sons.....	1,400	1,200	650	600	300
Northern Electric Co.....	.....	11,000	.....	.....	.....
American Crossarm Co.....	.....	.....	4,500	.....	.....
Pole Line Hardware					
Northern Electric Co.....	45,000	74,500	139,000	768,000	558,000
Canadian Line Materials Ltd.	42,000	63,700	120,000	739,000	401,000
Line & Cable Accessories Ltd.	16,000	33,500	66,500	554,219	479,000
James R. Kearney Corp.....	19,000	15,000	39,500	244,590	116,200
Canadian General Electric Co.	15,000	47,000	90,500	348,250	361,000
Steel Co. of Canada Ltd.....	.....	5,000	10,000	40,000	101,000
Dominion Cutout Co. Ltd....	.....	.....	5,000	53,000	.....
R. Mitchell & Co., Montreal.	.....	.....	.....	26,000	.....

3. The Commission has no information on this matter.

Mr. Robinson asked the following Question (No. 87):—

1. What is the area in acres of land to be flooded by the Pine Portage power dam. 2. What arrangements were made for the clearing of timber from this land. 3. What was the total cost of clearing the land. 4. What proportion of that cost represents the cost of cutting merchantable timber. 5. What was the cost of removing the merchantable timber after it had been cut. 6. To what purchasers were the spruce and balsam sold, in what quantities, and at what price to each purchaser. 7. To what purchasers was the jack-pine sold, in what quantities, and at what price to each purchaser. 8. To what purchasers were the poplar and birch sold, in what quantities, and at what price to each purchaser. 9. What was the total revenue received from the sale of the merchantable timber. 10. Was any tender, bid or offer received from any company for the removal of all or part of the timber from this land, and if so, from whom, and what were the terms of any such tender, bid or offer.

The 1st Vice-Chairman of the Hydro-Electric Power Commission of Ontario replied as follows:—

1. The area to be flooded is 6,000 acres. 2. The clearing is being done under the supervision of the Hydro-Electric Power Commission's Construction Department to the requirements of the Department of Lands and Forests, Ontario. Essentially, the area is divided into small parcels or lots, and contracts for clearing

these parcels are let to individuals, i.e., "shackers". 3. Clearing only partially completed. Total cost not available. 4. The cost of cutting merchantable timber is included in the price for clearing. 5. The price paid for hauling to main roads on river landings is \$0.04 per lineal foot. 6 and 7. The area being cleared is under license to the Great Lakes Paper Company Limited and the Brompton Pulp and Paper Company Limited, and all pulpwood being produced is being sold to the respective licensees. Both Companies accept spruce, balsam and jackpine pulpwood at a common price. No records are available of the amount of each type cut to date. The Great Lakes Paper Company Limited has contracted to purchase approximately 70,000 cords at a price of \$12.54 per cord, delivered to river landings, 34,000 cords of which have been cut to date. The Brompton Pulp and Paper Company Limited has contracted to purchase 1,000 cords at a price of \$9.00 per cord, delivered to river landings, 75 cords of which have been cut to date. In both cases the Company pays the stumpage dues to the Crown. The contract prices above are based on the estimated cost of producing pulpwood in a straight pulpwood operation on the respective areas. 8. The Brompton Pulp and Paper Company Limited have contracted to purchase 300 cords of strip-peeled poplar pulpwood at a price of \$9.42 per cord, including the Crown charges, delivered to river landings. To date, however, 2,200 cords have been cut, all of which the Brompton Pulp and Paper Company have agreed to purchase at the above rate. 9. All the timber cut to date has been or will be used for construction purposes, at Pine Portage Development. 10. No. Arrangements for clearing as answered in part 2 of this Question.

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Mr. MacLeod asked the following Question (No. 90):—

1. How many young people between the ages of 15 and 21 years have been committed to the Reform Institutions of Ontario since 1938. 2. How many of those committed were from the cities of Toronto, Hamilton, Ottawa, Windsor, Fort William, Port Arthur, Timmins and Sudbury. 3. To what extent, directly or indirectly, was the use of intoxicating drink a factor in the committal of the offence

The Minister of Reform Institutions replied as follows:—

1. 9,801. 2. 5,439. 3. Information obtainable only at Court level.

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Mr. Ellis asked the following Question (No. 96):—

1. How many acres of arable farm land in Ontario are now vacant or not used for farming purposes. 2. What steps are being taken by the Government to assist immigrants who are qualified farmers to settle on such farms. 3. Has any provision been made for financial assistance to those willing to go on the land, and if so, what is the extent and what are the conditions of such provisions.

The Minister of Agriculture replied as follows:—

1. The 1941 Dominion Census showed a total of 5,563 abandoned or idle



farms in Ontario. These farms comprised a total area of 634,498 acres and 132,254 acres of improved land. 3,665 of these farms were situated in the County of Haliburton and in the Districts of Northern Ontario. 2. Where immigrants settle on farms they will be accorded the same measure of assistance in connection with their farm problems as is given other farmers through the services of Agricultural Representatives, Fieldmen and Agricultural Institutions. 3. None.

Mr. Scott (Beaches) asked the following Question (No. 98):—

How many applications were received, and how many were granted in the years 1943-44, 1944-45, 1945-46, 1946-47, 1947-48, 1948-49 for Dominion-Provincial Student-Aid Bursaries: 1. Type A Bursaries: University (First Year), Normal School, Grade XIII, Grade XII (Vocational); 2. Type B Bursaries: Universities and affiliated Colleges, Ontario College of Art, Ontario College of Education, Normal Schools, Provincial Technical Institutes.

The Minister of Education replied as follows:—

1 and 2—

Academic Year	Name of Awards	Class	Applications Received	Number of Awards Granted
1943-1944	Province of Ontario Scholarships	University (1st Year).....	211	101
		Normal School.....	38	38
		Grade XIII.....	81	53
			330	192
1944-1945	Dominion-Provincial Student-Aid Scholarships	University (1st Year).....	266	141
		Normal School.....	65	40
		Grade XIII.....	105	86
	Dominion-Provincial Student-Aid Scholarships	Renewals of University (1st Year) Awards.....	73	58
	Dominion-Provincial Student-Aid Bursaries	University (2nd Year, etc.)....	234	200
		Normal School.....	41	39
		Ontario College of Art.....	1	1
		Ontario College of Education..	1	1
			786	566
1945-1946	Dominion-Provincial Student-Aid Scholarships	University (1st Year).....	360	161
		Normal School.....	112	60
		Grade XIII.....	208	168
	Dominion-Provincial Student-Aid Bursaries	University (2nd Year, etc.)....	268	204
		Normal School.....	29	29
		Ontario Training College for Technical Teachers.....	1	1
		Ontario College of Art.....	3	3
		Ontario College of Education..	6	6
		987	632	

Academic Year	Name of Awards	Class	Applications Received	Number of Awards Granted
1946-1947	Dominion-Provincial Student-Aid Scholarships	University (1st Year).....	332	166
		Normal School.....	133	40
		Grade XIII.....	269	176
		Grade XII (Vocational).....	37	26
	Dominion-Provincial Student-Aid Bursaries	University (2nd Year, etc.)....	346	298
		Normal School.....	41	33
		Ontario Training College for Technical Teachers.....	2	2
		Ontario College of Art.....	5	5
		Ontario College of Education..	6	5
			<u>1,171</u>	<u>751</u>
1947-1948	Dominion-Provincial Student-Aid Scholarships	University (1st Year).....	441	158
		Normal School.....	131	80
		Grade XIII.....	312	184
		Grade XII (Vocational).....	89	48
	Dominion-Provincial Student-Aid Bursaries	University (2nd Year, etc.)....	482	430
		Normal School.....	54	46
		Ontario College of Art.....	3	3
		Ontario College of Education..	20	17
		Provincial Technical Institute..	1	1
			<u>1,533</u>	<u>967</u>
1948-1949 (Incomplete)	Dominion-Provincial Student-Aid Bursaries, Type A	University (1st Year).....	493	158
		Normal School.....	200	84
		Grade XIII.....	369	216
		Grade XII (Vocational).....	87	41
	Dominion-Provincial Student-Aid Bursaries, Type B	University (2nd Year, etc.)....	598	461
		Normal School.....	72	56
		Ontario College of Art.....	8	5
		Ontario College of Education..	50	25
		Provincial Technical Institute..	14	6
			<u>1,891</u>	<u>1,052</u>

The following Bills were read the third time and were passed:—

Bill (No. 28), An Act respecting the Township of East York.

Bill (No. 30), An Act respecting the City of Owen Sound.

Bill (No. 32), An Act respecting the Township of Sandwich West.

Bill (No. 33), An Act respecting the City of St. Catharines.

The Order of the Day for the Second Reading of Bill (No. 158), An Act respecting Oleomargarine, having been read,

Mr. Goodfellow moved, in the absence of Mr. Kennedy, that the Bill be

now read a second time and, a debate arising, after some time the Motion having been put was carried on the following Division:—

## YEAS

Allen	Hamilton	Oliver
Baxter	Hanna	Park
Blackwell	Harvey	Parry
Brown	(Sault Ste. Marie)	Patrick
Calder	Harvey	Phillips
Cathcart	(Nipissing)	Porter
Cecile	Houck	Pringle
Challies	Hunt	Pryde
Chartrand	Isley	Robinson
Daley	Janes	Rcbson
Dempsey	Johnston	Sandercock
Dennison	(Parry Sound)	Scott
Dent	Johnston	(Peterborough)
Doucett	(Simcoe Centre)	Scott
Downer	Jolliffe	(Beaches)
Dunbar	Kelley	Stewart
Easton	Leavens	Taylor
Edwards	Mackenzie	Temple
Ellis	Macphail	Thomas
Fell	Martin	(Elgin)
Foote	Millard	Thomas
Foster	Morrow	(Ontario)
Frost	Murdoch	Thornberry
Fullerton	McDonald	Villeneuve
Gemmell	McEwing	Walker
Goodfellow	McMillan	Walters
Gordon	Nault	Welsh
Griesinger	Newman	White
Hall	Nixon	Wismer—79

## NAYS

MacLeod

Salsberg—2

and the Bill was accordingly read the second time and referred to a Committee of the Whole House to-morrow.

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The following Bills were severally read the second time:—

Bill (No. 23), An Act respecting the City of Toronto.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 157), An Act to amend The Public Lands Act.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 159), An Act to amend The Mining Tax Act.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 160), An Act for Raising Money on the Credit of the Consolidated Revenue Fund.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 162), An Act to amend The Workmen's Compensation Act.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 163), An Act to amend The Adoption Act.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 164), An Act to amend The Farm Products Grades and Sales Act.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 165), An Act to amend The Department of Travel and Publicity Act, 1946.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 166), An Act respecting Tourist Establishments.

Referred to a Committee of the Whole House to-morrow.

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The House, according to Order, resolved itself into the Committee of Supply.

*(In the Committee)*

*Resolved*, That there be granted to His Majesty, for the services of the fiscal year ending March 31st, 1950, the following sums:—

116. To defray the expenses of the Main Office, Department of Mines.....	\$ 274,000.00
117. To defray the expenses of the Geological Branch.....	219,000.00
118. To defray the expenses of the Mines Inspection and Mine Rescue Stations Branch.....	110,000.00
119. To defray the expenses of the Laboratories Branch.....	81,100.00
120. To defray the expenses of the Natural Gas Commissioner....	28,800.00
121. To defray the expenses of the Sulphur Fumes Arbitrator....	8,000.00
122. To defray the expenses of the Mining Lands Branch.....	125,800.00
94. To defray the expenses of the Main Office, Department of Labour.....	183,807.00

95. To defray the expenses of the Industry and Labour Board Branch.....	\$ 125,450.00
96. To defray the expenses of the Apprenticeship Branch.....	218,800.00
97. To defray the expenses of the Boiler Inspection Branch.....	100,990.00
98. To defray the expenses of the Factory Inspection Branch....	13,490.00
99. To defray the expenses of the Board of Examiners of Operating Engineers.....	39,490.00
100. To defray the expenses of the Minimum Wage Branch.....	34,360.00
101. To defray the expenses of the Composite Inspection Branch..	191,000.00
102. To defray the expenses of the Labour Relations Board.....	45,875.00
103. To defray the expenses of the Industry and Labour Board ...	5,500,000.00

Mr. Speaker resumed the Chair; and Mr. Patrick reported, That the Committee had come to certain Resolutions; also, That the Committee had directed him to ask for leave to sit again.

*Ordered*, That the Report be received to-morrow.

*Resolved*, That the Committee have leave to sit again to-morrow.

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And the House having continued to sit until 12 of the Clock, Midnight,

TUESDAY, MARCH 29TH, 1949.

The Order of the Day for the Second Reading of Bill (No. 137), An Act to amend The Barristers Act, having been read,

Mr. Thornberry moved that the Bill be now read a second time, and, a debate arising, after some time the Motion having been put was lost on the following Division:—

#### YEAS

Dennison	Jolliffe	Taylor
Ellis	Millard	Temple
Fell	Park	Thornberry
Harvey	Robinson	Walters
(Sault Ste. Marie)	Scott	Wisner—15
Isley	(Beaches)	

#### NAYS

Allen	Challies	Edwards
Baxter	Chartrand	Foote
Blackwell	Daley	Frost
Brown	Dent	Gemmell
Calder	Doucett	Goodfellow
Cathcart	Downer	Gordon
Cecile	Dunbar	Griesinger

## NAYS—Continued

Hall	Morrow	Salsberg
Hanna	Murdoch	Sandercock
Houck	McDonald	Scott
Hunt	McMillan	(Peterborough)
Janes	Nault	Stewart
Johnston	Nixon	Thomas
(Parry Sound)	Oliver	(Elgin)
Johnston	Parry	Villeneuve
(Simcoe Centre)	Patrick	Walker
Kelley	Phillips	Welsh
Mackenzie	Porter	White—54
MacLeod	Pringle	
Martin	Pryde	

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The Order of the Day for the Second Reading of Bill (No. 64), "An Act to amend The Election Act," having been read, on motion by Mr. MacLeod,

*Ordered*, That the Order be discharged and the Bill withdrawn.

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The Order of the Day for the Second Reading of Bill (No. 67), "An Act to Extend the Right to Vote at Municipal Elections to the Classes of Persons that may Vote at Elections to the Assembly," having been read, on motion by Mr. Salsberg,

*Ordered*, That the Order be discharged and the Bill withdrawn.

---

Notice of Motion No. 2 by Mr. Dennison, having been read as follows:—

That in the opinion of this House, to be consistent with the principles of democracy, every resident of a municipality who is entitled to vote at elections to the Assembly should be entitled to be entered on the voters' list and to vote at municipal elections in the municipality, and no person should be entitled to more than one vote.

The Motion was, with the consent of the House, withdrawn.

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The Provincial Secretary presented to the House, by command of the Honourable the Lieutenant-Governor:—

Return to an Order of the House dated March 17th, 1949, That there be laid before this House a Return showing: 1. To what person or companies were

contracts let for construction of the new highway from Highland Creek to the end of the pavement at Oshawa. 2. What was the mileage covered under each contract. 3. What was the cost per mile of construction under each contract. 4. Which of said contracts were awarded by tender. (*Sessional Papers No. 51.*)

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The House then adjourned at 12.45 a.m.

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TUESDAY, MARCH 29TH, 1949

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PRAYERS.

3 O'CLOCK P.M.

The following Bills were severally introduced and read the first time:—

Bill (No. 178), intituled, "The Windsor Metropolitan General Hospital Inquiry Act." *Mr. Blackwell.*

*Ordered,* That the Bill be read the second time to-morrow.

Bill (No. 179), intituled, "An Act to amend The Milk Control Act, 1948." *Mr. Kennedy.*

*Ordered,* That the Bill be read the second time to-morrow.

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The following Bills were severally read the second time:—

Bill (No. 167), The Public Vehicle Act, 1949.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 168), The Public Commercial Vehicle Act, 1949.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 171), An Act to amend The Securities Act, 1947.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 172), The Statute Law Amendment Act, 1949.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 173), An Act to provide for the Establishment of The Alcoholism Research Foundation.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 174), An Act to amend The Crown Timber Act.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 138), An Act to amend The Municipal Act.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 175), An Act to amend The Highway Traffic Act.

Referred to a Committee of the Whole House to-morrow.

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The Order of the Day for the Second Reading of Bill (No. 42), The Fumes Control Act, 1949, having been read, on motion by Mr. Dowling,

*Ordered*, That the Order be discharged and the Bill withdrawn.

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The House resolved itself into a Committee to consider a certain Resolution and certain Bills.

Mr. Frost acquainted the House that the Honourable the Lieutenant-Governor, having been informed of the subject matter of the Resolution, recommends it to the consideration of the House.

After some time, Mr. Speaker resumed the Chair, and Mr. Patrick reported that the Committee had come to a certain Resolution as follows:—

*Resolved*.

That in ascertaining and fixing the annual profits of a mine for the purposes of section 4 of *The Mining Tax Act* the total of expenses, payments, allowances or deductions under subsection 3 of section 4 of *The Mining Tax Act* shall be reduced by an amount equal to any sum paid or payable in respect of the year's output of the mine under *The Emergency Gold Mining Assistance Act* (Canada) as provided by Bill (No. 159), *An Act to amend The Mining Tax Act*.

Also, That the Committee had directed him to report the following Bills without amendment:—

Bill (No. 157), An Act to amend The Public Lands Act.

Bill (No. 159), An Act to amend The Mining Tax Act.



Bill (No. 160), An Act for Raising Money on the Credit of the Consolidated Revenue Fund.

Bill (No. 162), An Act to amend The Workmen's Compensation Act.

Bill (No. 163), An Act to amend The Adoption Act.

Bill (No. 164), An Act to amend The Farm Products Grades and Sales Act.

Bill (No. 165), An Act to amend The Department of Travel and Publicity Act, 1946.

Bill (No. 166), An Act respecting Tourist Establishments.

and to report the following Bills with certain amendments:—

Bill (No. 78), An Act to amend The Lakes and Rivers Improvement Act.

Bill (No. 158), An Act respecting Oleomargarine.

*Ordered*, That the Report be now received and adopted and that the Bills reported be severally read the third time to-morrow.

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The House according to Order, resolved itself into the Committee of Supply.

*(In the Committee)*

*Resolved*, That there be granted to His Majesty, for the services of the fiscal year ending March 31st, 1950, the following sums:—

21. To defray the expenses of the Main Office, Department of Attorney-General.....	\$ 451,000.00
22. To defray the expenses of the Office of the Legislative Counsel.....	66,600.00
23. To defray the expenses of the Office of The Registrar of Regulations.....	15,800.00
24. To defray the expenses of the Supreme Court of Ontario.....	159,375.00
25. To defray the expenses of the Shorthand Reporters.....	67,000.00
26. To defray the expenses of the Land Titles Office.....	52,000.00
27. To defray the expenses of the Drainage Referees.....	2,700.00
28. To defray the expenses of the Criminal Justice Accounts.....	2,006,600.00
29. To defray the expenses of the Public Trustees' Office.....	211,100.00
30. To defray the expenses of the Official Guardian's Office.....	62,200.00
31. To defray the expenses of the Accountant's Office, Supreme Court of Ontario.....	27,700.00
32. To defray the expenses of the Fire Marshal's Office.....	165,090.00
33. To defray the expenses of the Inspector of Legal Offices.....	214,200.00
34. To defray the expenses of the Law Enforcement Branch (Provincial Police).....	3,324,100.00
35. To defray the expenses of the Ontario Securities Commission..	142,000.00
93. To defray the expenses of the Department of Insurance.....	109,700.00

137. To defray the expenses of the Civil Service Commission . . . . .	\$ 68,750.00
138. To defray the expenses of the Office of The Speaker . . . . .	15,600.00
139. To defray the expenses of the Clerk of The Legislative Assembly . . . . .	33,260.00
140. To defray the expenses of the Sessional Requirements . . . . .	396,950.00
141. To defray the expenses of the Office of The Crown-in-Chancery . . . . .	13,880.00
142. To defray the expenses of the King's Printer . . . . .	73,850.00
143. To defray the expenses of the Social Security and Rehabilitation Committee . . . . .	15,000.00
144. To defray the expenses of the Miscellaneous Requirements . . . . .	10,000.00
145. To defray the expenses of the Administration—Public Service Superannuation Fund . . . . .	26,000.00

And the House having continued to sit until 12 of the Clock, Midnight,

WEDNESDAY, MARCH 30TH, 1949.

87. To defray the expenses of the Main Office, Department of Highways . . . . .	\$1,400,300.00
88. To defray the expenses of the Division Offices . . . . .	1,110,000.00
89. To defray the expenses of the Municipal Roads Branch . . . . .	150,000.00
90. To defray the expenses of the Gasoline Tax Branch . . . . .	130,000.00
91. To defray the expenses of the Miscellaneous Permits Branch . . . . .	45,000.00
92. To defray the expenses of the Motor Vehicles Branch . . . . .	220,000.00
36. To defray the expenses of the Main Office and General Departmental Expenses, Department of Education . . . . .	532,500.00
37. To defray the expenses of the Public and Separate Schools Branch . . . . .	980,300.00
38. To defray the expenses of the High Schools and Collegiate Institutes Branch . . . . .	126,500.00
39. To defray the expenses of the Vocational Education Branch . . . . .	788,400.00
40. To defray the expenses of the Training Schools Branch . . . . .	644,900.00
41. To defray the expenses of the Special Services . . . . .	812,900.00
42. To defray the expenses of the Departmental Examinations Branch . . . . .	378,400.00
43. To defray the expenses of the Public Libraries Branch . . . . .	51,000.00
44. To defray the expenses of the Legislative Library . . . . .	24,700.00
45. To defray the expenses of the Public Records and Archives . . . . .	18,400.00
46. To defray the expenses of the Text Books Branch . . . . .	127,200.00
47. To defray the expenses of the Ontario School for the Blind, Brantford . . . . .	168,900.00
48. To defray the expenses of the Ontario School for the Deaf, Belleville . . . . .	335,500.00
49. To defray the expenses of the Provincial Training Projects, Scholarships and Bursaries, etc. . . . .	447,500.00
50. To defray the expenses of the Legislative Grants, etc. . . . .	37,932,000.00
51. To defray the expenses of the Miscellaneous Grants . . . . .	143,700.00
52. To defray the expenses of the Grants to Provincial and other Universities, etc. . . . .	3,450,000.00
53. To defray the expenses of the Teachers' Superannuation . . . . .	4,000.00

Mr. Speaker resumed the Chair; and Mr. Patrick reported, That the Committee had come to certain Resolutions; also, That the Committee had directed him to ask for leave to sit again.

*Ordered*, That the Report be received to-morrow.

*Resolved*, That the Committee have leave to sit again to-morrow.

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On motion by Mr. Frost, seconded by Mr. Blackwell,

*Ordered*, That when this House adjourns the present sitting thereof it do stand adjourned until 2.00 of the clock this afternoon.

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The House then adjourned at 4.50 a.m.

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WEDNESDAY, MARCH 30TH, 1949

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PRAYERS.

2 O'CLOCK P.M.

Mr. Robson, from the Standing Committee on Agriculture and Colonization, presented the Committee's Report and moved that it be printed as an appendix to the Journals, which motion was carried.

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Mr. Janes, from the Standing Committee on Fish and Game, presented the Committee's Report and moved that it be printed as an appendix to the Journals of the House, which motion was carried.

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Mr. Hamilton, from the Standing Committee on Public Accounts, presented the Committee's Report and moved that it be printed as an appendix to the Journals of the House, which motion was carried.

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Mr. Hamilton, from the Select Committee appointed to direct the expenditure of any sum set apart in the Estimates for Art Purposes, presented the Committee's Report which was read, as follows, and adopted:—

Your Committee recommends that it be authorized to purchase from the Laing Art Galleries a picture by the well-known Ontario Artist, Mr. Fred Brigden, at a cost of \$250.00.

Your Committee recommends that it be authorized to purchase, during the fiscal year commencing on April 1st next, paintings of Ontario scenes by Ontario artists at a total cost of \$1,500.00.

Mr. White, from the Standing Committee on Printing, presented the Committee's report, which was read, as follows, and adopted:—

Also that an allowance be authorized and a cheque issued to each of the full-time daily newspaper representatives covering the present Session of the Legislative Assembly, as nominated by the Press Gallery and approved by Mr. Speaker.

Your Committee recommends that Departmental Reports and Sessional Papers for the current year be printed in the following numbers:—

Public Accounts.....	2,250
Estimates.....	1,250
Elections.....	3,250
Lands and Forests (including Game and Fisheries Report).....	1,450
Mines.....	250
Legal Offices.....	650
Superintendent of Insurance: Abstract.....	750
Detailed.....	950
Registrar of Loan Corporations: Abstract.....	400
Detailed.....	650
Public Works.....	325
Highways.....	650
Labour.....	850
Education.....	1,250
University of Toronto.....	325
Births, Marriages and Deaths.....	250
Department of Health.....	800
Ontario Hospital for Mentally Subnormal and Epileptics:	
April 1st, 1947, to December 31st, 1947.....	650
January 1st, 1947, to December 31st, 1948.....	650
General Hospitals, Hospitals for Incurables, Sanatoria and Red Cross Hospitals.....	1,450
Prisons and Reformatories.....	940

Ontario Training Schools.....	915
Public Welfare.....	750
Liquor Control Board.....	1,000
Department of Agriculture (Minister).....	1,900
Department of Agriculture (Statistics).....	3,250
Ontario Northland Transportation Commission.....	550
Ontario Municipal Board.....	600
Hydro-Electric Power Commission.....	3,650
Provincial Auditor.....	300
Workmen's Compensation Board.....	1,250
Ontario Veterinary College.....	1,750
Provincial Police.....	410
Niagara Parks Commission.....	650
Fire Marshal.....	1,450
Civil Service Commissioner.....	450

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The following Bill was read the second time:—

Bill (No. 161), An Act respecting The Hydro-Electric Power Commission of Ontario, Steep Rock Iron Ore Mines Limited, The Ontario-Minnesota Pulp and Paper Company Limited and His Majesty the King.

Referred to a Committee of the Whole House to-morrow.

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The Order of the Day for the Second Reading of Bill (No. 169), An Act respecting certain Charitable and other Gifts, having been read,

Mr. Frost moved that the Bill be now read a second time, and, a debate arising, after some time it was, on motion by Mr. Jolliffe,

*Ordered*, That the debate be adjourned.

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On motion by Mr. Frost, seconded by Mr. Porter,

*Ordered*, That when this House adjourns the present sitting thereof it do stand adjourned until 11.00 o'clock to-morrow morning and will rise for noon recess at 1.00 o'clock to-morrow afternoon to resume at 3.00 in the afternoon.

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The House then adjourned at 11.05 p.m.

## THURSDAY, MARCH 31st, 1949

## PRAYERS.

11 O'CLOCK A.M.

The following Bills were severally read the second time:—

Bill (No. 176), An Act to amend The Game and Fisheries Act, 1946.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 177), An Act to amend The Real Estate and Business Brokers Act, 1946.

Referred to a Committee of the Whole House to-morrow.

Bill (No. 178), The Windsor Metropolitan General Hospital Inquiry Act.

Referred to a Committee of the Whole House to-morrow.

The Order of the Day for the Second Reading of Bill (No. 179), An Act to amend The Milk Control Act, 1948, having been read,

Mr. Goodfellow moved, in the absence of Mr. Kennedy, that the Bill be now read a second time. The Motion having been put was carried on the following unanimous Recorded Vote:—

## YEAS

Allen	Gemmell	MacLeod
Baxter	Goodfellow	Macphail
Blackwell	Gordon	Martin
Calder	Griesinger	Millard
Cecile	Grummett	Morrow
Challies	Hamilton	McDonald
Daley	Hanna	McEwing
Dennison	Harvey	McMillan
Dent	(Nipissing)	Nault
Doucett	Houck	Newman
Downer	Hunt	Nixon
Dunbar	Isley	Oliver
Easton	Janes	Park
Edwards	Johnston	Patrick
Ellis	(Parry Sound)	Phillips
Fell	Johnston	Porter
Foote	(Simcoe Centre)	Pringle
Foster	Kelley	Pryde
Frost	Leavens	Robson
Fullerton	Mackenzie	Salsberg

## YEAS—Continued

Scott (Peterborough)	Thomas (Elgin)	Walker
Stewart	Thomas (Ontario)	Walters
Taylor		Welsh
Temple	Thornberry	White
	Villeneuve	Wismer—70

## NAYS

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and the Bill was accordingly read the second time and referred to Committee of the Whole House to-morrow.

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The House resolved itself into a Committee to consider a certain Resolution and certain Bills.

Mr. Frost acquainted the House that the Honourable the Lieutenant-Governor, having been informed of the subject matter of the Resolution, recommends it to the consideration of the House.

After some time, Mr. Speaker resumed the Chair, and Mr. Patrick reported that the Committee had come to a certain Resolution as follows:—

*Resolved,*

That the Lieutenant-Governor in Council may designate any hospital established under *The Alcoholism Research Foundation Act, 1949* as a hospital within the meaning of *The Public Hospitals Act* and a hospital so designated shall be eligible to receive grants under *The Hospitals Aid Act, 1948* in accordance with regulations under that Act as provided in Bill (No. 173), *An Act to Provide for the Establishment of the Alcoholism Research Foundation.*

Also, That the Committee had directed him to report the following Bills without amendment:—

Bill (No. 173), An Act to provide for the Establishment of The Alcoholism Research Foundation.

Bill (No. 174), An Act to amend The Crown Timber Act.

Bill (No. 175), An Act to amend The Highway Traffic Act.

Bill (No. 161), An Act respecting The Hydro-Electric Power Commission of Ontario, Steep Rock Iron Ore Mines Limited, The Ontario-Minnesota Pulp and Paper Company Limited and His Majesty the King.

Bill (No. 171), An Act to amend The Securities Act, 1947.

Bill (No. 23), An Act respecting the City of Toronto.

and to report the following Bills with certain amendments:—

Bill (No. 98), An Act to amend The Professional Engineers Act.

Bill (No. 167), The Public Vehicle Act, 1949.

Bill (No. 168), The Public Commercial Vehicle Act, 1949.

Bill (No. 172), The Statute Law Amendment Act, 1949.

Bill (No. 138), An Act to amend The Municipal Act.

*Ordered*, That the Report be now received and adopted and that the Bills reported be severally read the third time to-morrow.

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The following Bills were read the third time and were passed:—

Bill (No. 78), An Act to amend The Lakes and Rivers Improvement Act.

Bill (No. 157), An Act to amend The Public Lands Act.

Bill (No. 159), An Act to amend The Mining Tax Act.

Bill (No. 160), An Act for Raising Money on the Credit of the Consolidated Revenue Fund.

Bill (No. 162), An Act to amend The Workmen's Compensation Act.

Bill (No. 163), An Act to amend The Adoption Act.

Bill (No. 164), An Act to amend The Farm Products Grades and Sales Act.

Bill (No. 165), An Act to amend The Department of Travel and Publicity Act, 1946.

Bill (No. 166), An Act respecting Tourist Establishments.

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The Order of the Day for the Third Reading of Bill (No. 158), An Act respecting Oleomargarine, having been read,

Mr. Goodfellow moved, in the absence of Mr. Kennedy, that the Bill be now read a third time.

Mr. Wismer moved in amendment, seconded by Mr. Park,



"That the Bill be not now read the third time, but be forthwith recommended to a Committee of the Whole House, with instructions to amend the same by striking out the words 'one and six-tenths' in the second line of section 4 of the Bill, and substituting therefor the words 'two and seven-tenths'."

Mr. Speaker ruled that the proposed amendment was out of order under the provisions of Rule 49 which provides that "no motion, or amendment, the subject matter of which has been decided upon, can be again proposed during the same Session."

Mr. Speaker reminded the House that a similar amendment had been proposed to the section in question when it was being considered in Committee of the Whole House, which amendment had been defeated and the House had carried the section as it stands.

On Mr. Grummett appealing against Mr. Speaker's ruling, the ruling was sustained on the following Division:—

## YEAS

Allen	Goodfellow	Newman
Baxter	Gordon	Nixon
Blackwell	Griesinger	Oliver
Brown	Hall	Parry
Calder	Hamilton	Patrick
Cathcart	Hanna	Phillips
Cecile	Hunt	Porter
Challies	Janes	Pringle
Chartrand	Johnston	Pryde
Cox	(Parry Sound)	Robson
Daley	Johnston	Sandercock
Dempsey	(Simcoe Centre)	Scott
Dent	Kelley	(Peterborough)
Doucett	Mackenzie	Stewart
Downer	Martin	Thomas
Dunbar	Morrow	(Elgin)
Edwards	Murdoch	Villeneuve
Foote	McDonald	Walker
Foster	McEwing	Welsh
Frost	McMillan	White—58
Gemmell	Nault	

## NAYS

Dennison	Isley	Scott
Dowling	Leavens	(Beaches)
Easton	MacLeod	Taylor
Ellis	Macphail	Temple
Fell	Park	Thomas
Grummett	Robinson	(Ontario)
Harvey	Salsberg	Thornberry
(Sault Ste. Marie)		Walters
		Wisner—21

Mr. MacLeod, seconded by Mr. Salsberg, then moved in amendment to the motion for Third Reading of the Bill,

That Bill (No. 158), An Act respecting Oleomargarine, be not now read a third time but be read a third time this date six months hence.

The proposed amendment having been put was lost on the following Division:—

## YEAS

Gordon  
MacLeod

Salsberg

Walker—4

## NAYS

Allen  
Baxter  
Blackwell  
Brown  
Calder  
Cathcart  
Cecile  
Challies  
Chartrand  
Cox  
Daley  
Dempsey  
Dennison  
Dent  
Doucett  
Dowling  
Downer  
Dunbar  
Easton  
Edwards  
Ellis  
Fell  
Foote  
Foster  
Frost  
Gemmell  
Goodfellow  
Griesinger

Grummett  
Hall  
Hamilton  
Hanna  
Harvey  
(Sault Ste. Marie)  
Hunt  
Isley  
Janes  
Johnston  
(Parry Sound)  
Johnston  
(Simcoe Centre)  
Kelley  
Leavens  
Mackenzie  
Macphail  
Martin  
Morrow  
Murdoch  
McDonald  
McEwing  
McMillan  
Nault  
Newman  
Nixon  
Oliver

Park  
Parry  
Patrick  
Phillips  
Porter  
Pringle  
Pryde  
Robinson  
Robson  
Sandercock  
Scott  
(Peterborough)  
Scott  
(Beaches)  
Stewart  
Taylor  
Temple  
Thomas  
(Elgin)  
Thomas  
(Ontario)  
Thornberry  
Villeneuve  
Walters  
Welsh  
White  
Wismer—75

Mr. Wismer, seconded by Mr. Park, then attempted to move a further amendment to the motion as follows:—

That the motion for Third Reading of Bill (No. 158), An Act respecting Oleomargarine, be amended by striking out all the words of the motion after the word "that", and substituting therefor the following:—

"the Bill be not now read the third time, but be forthwith recommitted to a Committee of the Whole House, with instructions to amend the Bill by striking out section 4 of the same."

Mr. Speaker ruled that the proposed amendment was out of order on the following grounds:—

The main motion was that the Bill be now read a third time. The amendment moved by Mr. MacLeod was that the Bill be not now read a third time but be read a third time this date six months hence. The defeat of a motion that the Bill be not now read a third time was a decision by the House that the Bill would now be read the third time and no further amendment could be entertained.

On Mr. Grummett appealing against Mr. Speaker's ruling, the ruling was sustained on the following Division:—

## YEAS

Allen	Gemmell	Nault
Baxter	Goodfellow	Newman
Blackwell	Griesinger	Nixon
Brown	Hall	Oliver
Calder	Hamilton	Parry
Cathcart	Hanna	Patrick
Cecile	Hunt	Phillips
Challies	Janes	Porter
Chartrand	Johnston	Pringle
Cox	(Parry Sound)	Pryde
Daley	Johnston	Robson
Dempsey	(Simcoe Centre)	Sandercock
Dent	Kelley	Scott
Doucett	Mackenzie	(Peterborough)
Downer	Martin	Stewart
Dunbar	Morrow	Thomas
Edwards	Murdoch	(Elgin)
Foote	McDonald	Villeneuve
Foster	McEwing	Welsh
Frost	McMillan	White—56

## NAYS

Dennison	Isley	Taylor
Dowling	Leavens	Temple
Easton	MacLeod	Thomas
Ellis	Macphail	(Ontario)
Fell	Park	Thornberry
Gordon	Robinson	Walker
Grummett	Salsberg	Walters
Harvey	Scott	Wismer—23
(Sault Ste. Marie)	(Beaches)	

and the Bill was accordingly read the third time and was passed.

The House, according to Order, resolved itself into the Committee of Supply.

*(In the Committee)*

*Resolved*, That there be granted to His Majesty, for the services of the fiscal year ending March 31st, 1950, the following sums:—

104. To defray the expenses of the Main Office, Department of Lands and Forests.....	\$1,492,525.00
105. To defray the expenses of the Surveys Branch.....	150,300.00
106. To defray the expenses of the Forest Research Branch.....	206,800.00
107. To defray the expenses of the District Offices.....	5,842,121.00
108. To defray the expenses of the Extra Fire Fighting.....	1,500,000.00
109. To defray the expenses of the Fire Prevention, Conservation of Fish, Wildlife and Reforestation.....	145,620.00
110. To defray the expenses of the Air Service Branch.....	769,134.00
111. To defray the expenses of the Grants.....	9,100.00
112. To defray the expenses of the Wolf Bounty.....	75,000.00
113. To defray the expenses of the Bear Bounty.....	15,000.00
114. To defray the expenses of the Timber Management Branch..	4,630,000.00
173. To defray the expenses of the Main Office, Department of Reform Institutions.....	630,800.00
174. To defray the expenses of the Board of Parole.....	56,100.00
175. To defray the expenses of the Ontario Reformatory, Guelph..	1,855,000.00
176. To defray the expenses of the Ontario Reformatory, Mimico..	450,000.00
177. To defray the expenses of the Ontario Reformatory, Brampton	250,000.00
178. To defray the expenses of the Mercer Reformatory, Toronto..	428,000.00
179. To defray the expenses of the Industrial Farm, Burwash....	1,150,000.00
180. To defray the expenses of the Industrial Farm, Monteith....	182,000.00
181. To defray the expenses of the Industrial Farm, Neys.....	165,000.00
182. To defray the expenses of the Rideau Industrial Farm, Burrit's Rapids.....	182,000.00
183. To defray the expenses of the Burtch Industrial Farm, Brantford.....	181,000.00
184. To defray the expenses of the Ontario Training School for Boys—Bowmanville and Galt Branches.....	520,000.00
185. To defray the expenses of the Ontario Training School for Girls—Cobourg.....	201,000.00
186. To defray the expenses of the Industrial Farms.....	85,000.00
133. To defray the expenses of the Office of Prime Minister.....	41,650.00

Mr. Speaker resumed the Chair; and Mr. Patrick reported, That the Committee had come to certain Resolutions; also, That the Committee had directed him to ask for leave to sit again.

*Ordered*, That the Report be received to-morrow.

*Resolved*, That the Committee have leave to sit again to-morrow.

On motion by Mr. Frost, seconded by Mr. Porter,

*Ordered*, That when this House adjourns the present sitting thereof it do stand adjourned until 10.30 of the clock to-morrow morning and will rise for noon recess at 12.30 o'clock in the afternoon to resume at 1.30 in the afternoon.

The House then adjourned at 12.00 midnight.

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FRIDAY, APRIL 1st, 1949

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PRAYERS.

10.30 O'CLOCK A.M.

Before the Orders of the Day, Mr. Oliver, Leader of the Liberal Party, congratulated Mr. Nixon, Member for the Electoral District of Brant, on the 58th anniversary of his birth, in which he was joined by Mr. Frost, Acting Prime Minister, Mr. Jolliffe, Leader of His Majesty's Loyal Opposition, and Mr. MacLeod.

The House, according to Order, resolved itself into the Committee of Supply.

*(In the Committee)*

*Resolved*, That there be granted to His Majesty, for the services of the fiscal year ending March 31, 1950, the following sums:—

152. To defray the expenses of the Main Office, Department of Public Welfare.....	\$ 316,052.00
153. To defray the expenses of the Day Nurseries Branch.....	163,848.00
154. To defray the expenses of the Children's Aid Branch.....	1,300,185.00
155. To defray the expenses of the Youth and Child Welfare Branch.....	82,264.00
156. To defray the expenses of the Mothers' Allowances Commission.....	5,337,091.00
157. To defray the expenses of the Old Age Pensions Commission.....	11,700,000.00
158. To defray the expenses of the Homes for the Aged.....	379,324.00
159. To defray the expenses of the Welfare Units.....	220,210.00
160. To defray the expenses of the Old Age Pensions Commission Branch.....	23,009,578.00
54. To defray the expenses of the Main Office, Department of Health.....	1,259,050.00
55. To defray the expenses of the Health Units Branch.....	473,700.00
56. To defray the expenses of the Public Health Nursing Branch.....	40,000.00
57. To defray the expenses of the Maternal and Child Hygiene Branch.....	314,500.00
58. To defray the expenses of the Dental Service Branch.....	38,750.00
59. To defray the expenses of the Nurses' Registration Branch...	40,500.00
60. To defray the expenses of the Epidemiological Branch.....	438,000.00

61. To defray the expenses of the Venereal Diseases Control Branch.....	\$ 212,600.00
62. To defray the expenses of the Tuberculosis Prevention Branch.....	4,478,550.00
63. To defray the expenses of the Industrial Hygiene Branch....	196,000.00
64. To defray the expenses of the Sanitary Engineering Branch..	133,500.00
65. To defray the expenses of the Laboratory Branch—Central Laboratory.....	378,000.00
66. To defray the expenses of the Branch Laboratories.....	303,000.00
67. To defray the expenses of the Subsidized Laboratories.....	31,000.00
68. To defray the expenses of the Public and Private Hospitals Division.....	3,569,500.00
69. To defray the expenses of the Ontario Hospitals Division—General Expenses.....	885,400.00
70. To defray the expenses of the Ontario Hospital, Brockville...	771,000.00
71. To defray the expenses of the Ontario Hospital, Cobourg....	243,000.00
72. To defray the expenses of the Ontario Hospital, Fort William	106,000.00
73. To defray the expenses of the Fort William-Port Arthur Unit	46,000.00
74. To defray the expenses of the Ontario Hospital, Hamilton...	1,020,000.00
75. To defray the expenses of the Ontario Hospital, Kingston....	867,000.00
76. To defray the expenses of the Ontario Hospital, Langstaff....	304,000.00
77. To defray the expenses of the Langstaff-Concord Unit.....	10,000.00
78. To defray the expenses of the Ontario Hospital, London....	1,096,000.00
79. To defray the expenses of the Ontario Hospital, New Toronto	891,000.00
80. To defray the expenses of the Ontario Hospital School, Orillia.	1,280,000.00
81. To defray the expenses of the Ontario Hospital, Penetanguishene.....	478,000.00
82. To defray the expenses of the Ontario Hospital, St. Thomas..	1,016,000.00
83. To defray the expenses of the Ontario Hospital, Toronto....	787,000.00
84. To defray the expenses of the Ontario Hospital, Whitby.....	993,000.00
85. To defray the expenses of the Ontario Hospital, Woodstock..	1,083,000.00
86. To defray the expenses of the Toronto Psychiatric Hospital..	286,000.00
187. To defray the expenses of the Main Office, Department of Travel and Publicity.....	60,290.00
188. To defray the expenses of the Publicity Branch.....	294,980.00
189. To defray the expenses of the Information Branch.....	95,480.00
190. To defray the expenses of the Development Branch.....	54,750.00
191. To defray the expenses of the Winter Promotion Branch....	11,250.00
192. To defray the expenses of the Division of Public Information.	72,800.00
126. To defray the expenses of the Main Office, Department of Planning and Development.....	62,680.00
127. To defray the expenses of the Community Planning Branch..	51,245.00
128. To defray the expenses of the Conservation Branch.....	193,060.00
129. To defray the expenses of the Immigration Branch.....	124,320.00
130. To defray the expenses of the Ontario House.....	280,600.00
131. To defray the expenses of the Research Council of Ontario...	290,000.00
132. To defray the expenses of the Trade and Industry Branch...	55,510.00

Mr. Speaker resumed the Chair; and Mr. Patrick reported, That the Committee had come to certain Resolutions.

*Ordered*, That the Report be received to-day.

Mr. Patrick, from the Committee of Supply, reported the following Resolution which was concurred in by the House:—

*Resolved*, That Supply in the following amounts and to defray expenses of the Government Departments named be granted to His Majesty for the year ending March 31st, 1950:—

#### DEPARTMENT OF AGRICULTURE:

Main Office.....	\$ 563,090.00
Agricultural and Horticultural Societies Branch.....	732,600.00
Agricultural Representative Branch.....	768,062.00
Co-operation and Markets Branch.....	44,260.00
Crops, Seeds and Weeds Branch.....	131,865.00
Dairy Branch.....	671,420.00
Farm Economics Branch.....	61,592.00
Fruit Branch.....	205,985.00
Live Stock Branch.....	547,365.00
Milk Control Board.....	78,740.00
Northern Ontario Branch.....	800,000.00
Statistics and Publications Branch.....	73,740.00
Women's Institute and Home Economics Service Branch....	193,010.00
Demonstration Farm, New Liskeard.....	23,470.00
Horticultural Experiment Station, Vineland.....	144,860.00
Kemptville Agricultural School.....	190,968.00
Ontario Agricultural College, Guelph.....	2,038,250.00
Ontario Veterinary College, Guelph.....	567,350.00
Western Ontario Experimental Farm.....	55,640.00
Fruit Branch.....	250,000.00

#### DEPARTMENT OF ATTORNEY-GENERAL:

Main Office.....	451,000.00
Office of the Legislative Counsel.....	66,600.00
Office of the Registrar of Regulations.....	15,800.00
Supreme Court of Ontario.....	159,375.00
Shorthand Reporters.....	67,000.00
Land Titles Office.....	52,000.00
Drainage Referees.....	2,700.00
Criminal Justice Accounts.....	2,006,600.00
Public Trustee's Office.....	211,100.00
Official Guardian's Office.....	62,200.00
Accountant's Office—Supreme Court of Ontario.....	27,700.00
Fire Marshal's Office.....	165,090.00
Inspector of Legal Offices.....	214,200.00
Law Enforcement Branch (Provincial Police).....	3,324,100.00
Ontario Securities Commission.....	142,000.00

#### DEPARTMENT OF EDUCATION:

Main Office and General Departmental Expenses.....	532,500.00
Public and Separate Schools Branch.....	980,300.00
High Schools and Collegiate Institutes Branch.....	126,500.00
Vocational Education Branch.....	788,400.00
Training Schools Branch.....	644,900.00

## DEPARTMENT OF EDUCATION—Continued

Special Services .....	\$ 812,900.00
Departmental Examinations Branch .....	378,400.00
Public Libraries Branch .....	51,000.00
Legislative Library .....	24,700.00
Public Records and Archives .....	18,400.00
Text Books Branch .....	127,200.00
Ontario School for the Blind, Brantford .....	168,900.00
Ontario School for the Deaf, Belleville .....	335,500.00
Provincial Training Projects, Scholarships and Bursaries, etc. ....	447,500.00
Legislative Grants, etc. ....	37,932,000.00
Miscellaneous Grants .....	143,700.00
Grants to Provincial and other Universities, etc. ....	3,450,000.00
Teachers' Superannuation, etc. ....	4,000.00

## DEPARTMENT OF HEALTH:

Main Office .....	1,259,050.00
Health Units .....	473,700.00
Public Health Nursing Branch .....	40,000.00
Maternal and Child Hygiene Branch .....	314,500.00
Dental Service Branch .....	38,750.00
Nurses' Registration Branch .....	40,500.00
Epidemiological Branch .....	438,000.00
Venereal Diseases Control Branch .....	212,600.00
Tuberculosis Prevention Branch .....	4,478,550.00
Industrial Hygiene Branch .....	196,000.00
Sanitary Engineering Branch .....	133,500.00
Laboratory Branch—Central Laboratory .....	378,000.00
Branch Laboratories .....	303,000.00
Subsidized Laboratories .....	31,000.00
Public and Private Hospitals Division .....	3,569,500.00
Ontario Hospitals Division—General Expenses .....	885,400.00

## Ontario Hospitals:

Brockville .....	771,000.00
Cobourg .....	243,000.00
Fort William .....	106,000.00
Fort William—Port Arthur Unit .....	46,000.00
Hamilton .....	1,020,000.00
Kingston .....	867,000.00
Langstaff .....	304,000.00
Langstaff—Concord Unit .....	10,000.00
London .....	1,096,000.00
New Toronto .....	891,000.00
Ontario Hospital School, Orillia .....	1,280,000.00
Penetanguishene .....	478,000.00
St. Thomas .....	1,016,000.00
Toronto .....	787,000.00
Whitby .....	993,000.00
Woodstock .....	1,083,000.00
Toronto Psychiatric Hospital .....	286,000.00



## DEPARTMENT OF HIGHWAYS:

Main Office .....	\$ 1,400,300.00
Division Offices .....	1,110,000.00
Municipal Roads Branch .....	150,000.00
Gasoline Tax Branch .....	130,000.00
Miscellaneous Permits Branch .....	45,000.00
Motor Vehicles Branch .....	220,000.00

## DEPARTMENT OF INSURANCE:

Main Office .....	109,700.00
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## DEPARTMENT OF LABOUR:

Main Office .....	183,807.00
Industry and Labour Board .....	125,450.00
Apprenticeship Branch .....	218,800.00
Boiler Inspection Branch .....	100,990.00
Factory Inspection Branch .....	13,490.00
Board of Examiners of Operating Engineers .....	39,490.00
Minimum Wage Branch .....	34,360.00
Composite Inspection Branch .....	191,000.00
Labour Relations Board .....	45,875.00
Industry and Labour Board .....	5,500,000.00

## DEPARTMENT OF LANDS AND FORESTS:

Main Office .....	1,492,525.00
Surveys Branch .....	150,300.00
Forest Research Branch .....	206,800.00
Basic Organization—District Offices .....	5,842,121.00
Extra Fire Fighting .....	1,500,000.00
Fire Prevention, Conservation of Fish, Wildlife and Re-forestation .....	145,620.00
Air Service Branch .....	769,134.00
Grants .....	9,100.00
Wolf Bounty .....	75,000.00
Bear Bounty .....	15,000.00
Timber Management Branch .....	4,630,000.00

OFFICE OF LIEUTENANT-GOVERNOR .....	14,500.00
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## DEPARTMENT OF MINES:

Main Office .....	274,000.00
Geological Branch .....	219,000.00
Mines Inspection and Mine Rescue Stations .....	110,000.00
Laboratories Branch .....	81,100.00
Natural Gas Commissioner .....	28,800.00
Sulphur Fumes Arbitrator .....	8,000.00
Mining Lands Branch .....	125,800.00

## DEPARTMENT OF MUNICIPAL AFFAIRS:

Main Office .....	1,017,000.00
Ontario Municipal Board .....	81,100.00
Registrar-General's Branch .....	262,725.00

## DEPARTMENT OF PLANNING AND DEVELOPMENT:

Main Office.....	\$ 62,680.00
Community Planning Branch.....	51,245.00
Conservation Branch.....	193,060.00
Immigration Branch.....	124,320.00
Ontario House.....	280,600.00
Research Council of Ontario.....	290,000.00
Trade and Industry Branch.....	55,510.00

OFFICE OF THE PRIME MINISTER..... 41,650.00

OFFICE OF THE PROVINCIAL AUDITOR..... 201,000.00

## DEPARTMENT OF PROVINCIAL SECRETARY:

Companies Branch.....	177,495.00
Cabinet Office.....	69,240.00
Civil Service Commission.....	68,750.00
Office of the Speaker.....	15,600.00
Clerk of the Legislative Assembly.....	33,260.00
Sessional Requirements.....	396,950.00
Office of the Crown-in-Chancery.....	13,880.00
The King's Printer.....	73,850.00
Social Security and Rehabilitation Committee.....	15,000.00
Miscellaneous Requirements.....	10,000.00
Administration—Public Service Superannuation Fund.....	26,000.00

## DEPARTMENT OF PROVINCIAL TREASURER:

Main Office.....	272,100.00
Bureau of Statistics and Research (including Ottawa Office) ..	64,900.00
Motion Picture Censorship and Theatre Inspection.....	75,750.00
Controller of Revenue.....	540,900.00
Post Office.....	304,000.00
Main Office.....	1,751,600.00

## DEPARTMENT OF PUBLIC WELFARE:

Main Office.....	316,052.00
Day Nurseries Branch.....	163,848.00
Children's Aid Branch.....	1,300,185.00
Youth and Child Welfare Branch.....	82,264.00
Mothers' Allowances Commission.....	5,337,091.00
Old Age Pensions Commission.....	11,700,000.00
Homes for the Aged.....	379,324.00
Welfare Units Branch.....	220,210.00
Old Age Pensions Commission.....	23,009,578.00

## DEPARTMENT OF PUBLIC WORKS:

Main Office.....	414,200.00
General Superintendence.....	87,000.00
Lieutenant-Governor's Apartment.....	6,500.00
Legislative and Departmental Buildings.....	1,153,000.00

## DEPARTMENT OF PUBLIC WORKS—Continued

Osgoode Hall.....	\$ 92,800.00
Government Buildings.....	888,500.00
Ontario Government Branch Office Buildings.....	178,000.00
Maintenance of Locks, Bridges, Dams and Docks.....	80,000.00
Miscellaneous.....	25,000.00
Public Buildings.....	6,757,000.00
Dams, Docks and Drainage Works.....	228,000.00
Miscellaneous.....	1,515,000.00

## DEPARTMENT OF REFORM INSTITUTIONS:

Main Office.....	630,800.00
Board of Parole.....	56,100.00
Ontario Reformatories:	
Guelph.....	1,855,000.00
Mimico.....	450,000.00
Brampton.....	250,000.00
Mercer, Toronto.....	428,000.00

## Industrial Farms:

Burwash.....	1,150,000.00
Monteith.....	182,000.00
Neys.....	165,000.00
Rideau, Burritt's Rapids.....	182,000.00
Burtch, Brantford.....	181,000.00
Ontario Training School for Boys—Bowmanville and Galt Branches.....	520,000.00
Ontario Training School for Girls—Cobourg.....	201,000.00
Industrial Farms.....	85,000.00

## DEPARTMENT OF TRAVEL AND PUBLICITY:

Main Office.....	60,290.00
Publicity Branch.....	294,980.00
Information Branch.....	95,480.00
Development Branch.....	54,750.00
Winter Promotion Branch.....	11,250.00
Division of Public Information.....	72,800.00

MISCELLANEOUS..... 100,000.00

MISCELLANEOUS..... 150,000.00

The House, according to Order, resolved itself into the Committee on Ways and Means.

*(In the Committee)*

*Resolved*, That there be granted out of the Consolidated Revenue Fund of this Province a sum not exceeding one hundred and seventy-nine million, one hundred and thirty-nine thousand, eight hundred and eleven dollars to meet the supply to that extent granted to His Majesty.

Mr. Speaker resumed the Chair; and Mr. Patrick reported, That the Committee had come to a certain Resolution.

*Ordered*, That the Report be received forthwith and adopted.

The following Bill was then introduced and read the first time:—

Bill (No. 180), intituled, "An Act for granting to His Majesty certain sums of Money for the Public Service of the Financial Year ending the 31st day of March, 1950." *Mr. Frost*.

*Ordered*, That the Bill be read the second time forthwith.

The Bill was then read a second time.

*Ordered*, That the Bill be read a third time forthwith.

The Bill was then read the third time and was passed.

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The following Bills were severally read the third time and were passed:—

Bill (No. 98), An Act to amend The Professional Engineers Act.

Bill (No. 167), The Public Vehicle Act, 1949.

Bill (No. 168), The Public Commercial Vehicle Act, 1949.

Bill (No. 161), An Act respecting The Hydro-Electric Power Commission of Ontario, Steep Rock Iron Ore Mines Limited, The Ontario-Minnesota Pulp and Paper Company Limited and His Majesty the King.

Bill (No. 171), An Act to amend The Securities Act, 1947.

Bill (No. 172), The Statute Law Amendment Act, 1949.

Bill (No. 173), An Act to provide for the Establishment of The Alcoholism Research Foundation.

Bill (No. 174), An Act to amend The Crown Timber Act.

Bill (No. 175), An Act to amend The Highway Traffic Act.

Bill (No. 138), An Act to amend The Municipal Act.

Bill (No. 23), An Act respecting the City of Toronto.

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The Honourable the Lieutenant-Governor entered the Chamber of the Legislative Assembly and being seated upon the Throne,

Mr. Speaker addressed His Honour in the following Words:—

*May it please Your Honour:*

The Legislative Assembly of the Province has at its present Sittings thereof passed several Bills to which, in the name and on behalf of the said Legislative Assembly, I respectfully request Your Honour's Assent.

The Clerk Assistant then read the titles of the Bills that has passed severally as follows:—

Bill (No. 1), An Act respecting The Federation for Community Service of Toronto.

Bill (No. 2), An Act respecting The Mount McKay and Kakabeka Falls Railway Company.

Bill (No. 3), An Act respecting The Incorporated Synod of the Diocese of Toronto.

Bill (No. 6), An Act respecting the Township of Scarborough.

Bill (No. 7), An Act respecting Wycliffe College.

Bill (No. 8), An Act to establish The Frontenac High School District.

Bill (No. 9), An Act respecting l'Institute Jeanne d'Arc.

Bill (No. 11), An Act respecting the City of London.

Bill (No. 12), An Act respecting the City of Chatham.

Bill (No. 13), An Act respecting The Hospital for Sick Children.

Bill (No. 14), An Act respecting the City of Belleville.

Bill (No. 15), An Act respecting The Incorporated Synod of the Diocese of Ontario.

Bill (No. 16), An Act respecting the City of Peterborough.

Bill (No. 17), An Act respecting the Township of Etobicoke.

Bill (No. 18), An Act respecting the Cornwall Street Railway, Light and Power Company, Limited.

Bill (No. 19), An Act to incorporated the Village of Wasaga Beach.

Bill (No. 20), An Act respecting McMaster University.

Bill (No. 21), An Act respecting the Township of Kingston.

Bill (No. 22), An Act respecting the Sarnia Young Men's and Young Women's Christian Association.

Bill (No. 23), An Act respecting the City of Toronto.

Bill (No. 24), An Act respecting the Canadian National Exhibition Association.

Bill (No. 26), An Act to incorporate the Ontario Co-operative Credit Society.

Bill (No. 27), An Act respecting the Town of Tecumseh.

Bill (No. 28), An Act respecting the Township of East York.

Bill (No. 30), An Act respecting the City of Owen Sound.

Bill (No. 31), An Act respecting the City of Ottawa.

Bill (No. 32), An Act respecting the Township of Sandwich West.

Bill (No. 33), An Act respecting the City of St. Catharines.

Bill (No. 34), An Act respecting Canada Comforter Company, Limited.

Bill (No. 78), An Act to amend The Lakes and Rivers Improvement Act.

Bill (No. 86), An Act to amend The Mining Act.

Bill (No. 89), The Niagara Parks Act, 1949.

Bill (No. 90), An Act to amend The Hospitals Aid Act, 1948.

Bill (No. 91), An Act to amend The Sanatoria for Consumptives Act, 1947.

Bill (No. 98), An Act to amend The Professional Engineers Act.

Bill (No. 102), An Act to amend The Wolf and Bear Bounty Act, 1946.

Bill (No. 103), The Loan and Trust Corporations Act, 1949.

Bill (No. 104), An Act to amend The Assessment Act.

Bill (No. 105), An Act to amend The Presqu'île Park Act.

Bill (No. 106), An Act to amend The Long Point Park Act.

Bill (No. 107), The Fire Departments Act, 1949.

Bill (No. 108), The Police Act, 1949.

Bill (No. 109), An Act to amend The Highway Improvement Act.

Bill (No. 110), The Homes for the Aged Act, 1949.

Bill (No. 111), An Act to amend The Children's Protection Act.

Bill (No. 112), An Act to amend The Succession Duty Act, 1939.

Bill (No. 113), An Act to amend The Provincial Loans Act.

Bill (No. 114), An Act to suspend The Income Tax Act (Ontario).

Bill (No. 115), An Act to amend The Corporations Tax Act, 1939.

Bill (No. 116), An Act to amend The Athletics Control Act, 1947.

Bill (No. 117), An Act respecting The Sandwich, Windsor and Amherstburg Railway.

Bill (No. 118), An Act to amend The Tile Drainage Act.

Bill (No. 119), An Act to amend The Ditches and Watercourses Act.

Bill (No. 120), An Act to amend The Municipal Drainage Act.

Bill (No. 121), An Act to amend The Provincial Aid to Drainage Act.

Bill (No. 122), An Act to amend The Power Commission Act.

Bill (No. 123), An Act to amend The Conservation Authorities Act, 1946.

Bill (No. 125), An Act to amend The Companies Act.

Bill (No. 126), An Act to amend The Marriage Act.

Bill (No. 127), An Act to amend The Telephone Act.

Bill (No. 128), An Act for Quieting Doubts affecting the Legal Status and Boundaries of Municipalities.

Bill (No. 129), An Act to amend The Vital Statistics Act, 1948.

Bill (No. 130), An Act to amend The Public Utilities Act.

Bill (No. 131), An Act to amend The Department of Municipal Affairs Act.

Bill (No. 132), The Teachers' Superannuation Act, 1949.

Bill (No. 133), An Act to amend The Municipal Act.

Bill (No. 134), An Act to amend The Forest Management Act, 1947.

Bill (No. 136), An Act to amend The Forest Fires Prevention Act, 1948.

Bill (No. 138), An Act to amend The Municipal Act.

Bill (No. 140), An Act to amend The Ontario Municipal Board Act.

Bill (No. 141), An Act to amend The Local Improvement Act.

Bill (No. 143), An Act to amend The Boards of Education Act.

Bill (No. 144), An Act to amend The College of Art Act.

Bill (No. 145), An Act to amend The Continuation Schools Act.

Bill (No. 146), An Act to amend The High Schools Act.

Bill (No. 147), An Act to amend The Public Libraries Act.

Bill (No. 148), An Act to amend The Public Schools Act.

Bill (No. 149), An Act to amend The Separate Schools Act.

Bill (No. 150), An Act to amend The Teachers' Boards of Reference Act, 1946.

Bill (No. 151), An Act to amend The School Sites Act.

Bill (No. 152), An Act to amend The Change of Name Act, 1948.

Bill (No. 153), An Act to Provide for the Consolidation of the Regulations filed under The Regulations Act, 1944.

Bill (No. 154), An Act to amend The Insurance Act.

Bill (No. 155), An Act to amend The Companies Act.

Bill (No. 156), An Act to amend The Registry Act.

Bill (No. 157), An Act to amend The Public Lands Act.

Bill (No. 158), An Act respecting Oleomargarine.

Bill (No. 159), An Act to amend The Mining Tax Act.

Bill (No. 160), An Act for Raising Money on the Credit of the Consolidated Revenue Fund.

Bill (No. 161), An Act respecting The Hydro-Electric Power Commission of Ontario, Steep Rock Iron Ore Mines Limited, The Ontario-Minnesota Pulp and Paper Company Limited and His Majesty the King.

Bill (No. 162), An Act to amend The Workmen's Compensation Act.

Bill (No. 163), An Act to amend The Adoption Act.

Bill (No. 164), An Act to amend The Farm Products Grades and Sales Act.

Bill (No. 165), An Act to amend The Department of Travel and Publicity Act, 1946.

Bill (No. 166), An Act respecting Tourist Establishments.



Bill (No. 167), The Public Vehicle Act, 1949.

Bill (No. 168), The Public Commercial Vehicle Act, 1949.

Bill (No. 171), An Act to amend The Securities Act, 1947.

Bill (No. 172), The Statute Law Amendment Act, 1949.

Bill (No. 173), An Act to provide for the Establishment of The Alcoholism Research Foundation.

Bill (No. 174), An Act to amend The Crown Timber Act.

Bill (No. 175), An Act to amend The Highway Traffic Act.

To these Bills the Royal Assent was announced by the Clerk of the Legislative Assembly in the following words:—

In His Majesty's name the Honourable the Lieutenant-Governor doth assent to these Bills.

Mr. Speaker then said:—

*May it please Your Honour:*

We, His Majesty's most dutiful and faithful subjects, the Legislative Assembly of the Province of Ontario, in Session assembled, approach Your Honour with sentiments of unfeigned devotion and loyalty to His Majesty's person and Government, and humbly beg to present for Your Honour's acceptance a Bill intituled, "An Act for granting to His Majesty certain sums of money for the Public Service of the financial year ending the 31st day of March, 1950."

To this Act the Royal Assent was announced by the Clerk of the Legislative Assembly in the following words:—

"The Honourable the Lieutenant-Governor doth thank His Majesty's dutiful and loyal Subjects, accept their benevolence and assent to this Bill in His Majesty's name."

The Honourable the Lieutenant-Governor was then pleased to retire.

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The Provincial Secretary presented to the House, by command of the Honourable the Lieutenant-Governor:—

Forty-seventh Annual Report of the Ontario Northland Transportation Commission Ontario Government Railway for the nine month period ended December 31st, 1947. (*Sessional Papers No. 23.*)

Also, Twenty-second Annual Report of the Liquor Control Board of Ontario for the fiscal year ended 31st March, 1948. (*Sessional Papers No. 20.*)

Also, Report of the Minister of Public Welfare, Province of Ontario, for the fiscal year 1947-1948. (*Sessional Papers No. 19.*)

Also, Second Report of The Liquor Licence Board of Ontario for the year ended March 31st, 1948. (*Sessional Papers No. 53.*)

Also, Annual Report of The Commissioner of the Ontario Provincial Police from January 1st, 1948, to December 31st, 1948. (*Sessional Papers No. 34.*)

Also, Report of the Ontario Veterinary College for the year ending March 31st, 1948. (*Sessional Papers No. 29.*)

Also, Annual Report of the Inspector of Legal Offices for the year ending 31st December, 1948. (*Sessional Papers No. 5.*)

Also, Fifteenth Annual Report of the Department of Municipal Affairs of the Province of Ontario for the year ending December 31st, 1948. (*Sessional Papers No. 31.*)

Also, Annual Report of the Department of Highways, Ontario, for the fiscal year ending March 31st, 1948. (*Sessional Papers No. 32.*)

Also, Report of the Department of Public Works, Ontario, for the twelve months ending the 31st March, 1948. (*Sessional Papers No. 8.*)

Also, Forty-first Annual Report of The Hydro-Electric Power Commission of Ontario for the year ended October 31st, 1948. (*Sessional Papers No. 26.*)

Also, Third Annual Report of Department of Travel and Publicity, Ontario, for the fiscal year 1948-1949. (*Sessional Papers No. 52.*)

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The House then adjourned at 4.25 p.m.

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MONDAY, APRIL 4TH, 1949

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PRAYERS.

3 O'CLOCK P.M.

Mr. Speaker informed the House that the Clerk had laid upon the Table a Return from the Records of the By-Election held in the Electoral District of Huron on the 9th and 16th of February, 1948; also, of the General Election held on the 31st of May and 7th of June, 1948, and of the subsequent By-Election held in the Electoral District of Parry Sound on the 2nd and 9th of December, 1948, showing:—

1. The number of votes polled for each candidate in each Electoral District

in which there was a contest. 2. The majority whereby each successful candidate was returned. 3. The total number of votes polled. 4. The number of votes remaining unpolled. 5. The number of names on the polling lists. 6. The number of ballot papers sent out to each polling place. 7. The used ballot papers. 8. The unused ballot papers. 9. The rejected ballot papers. 10. The cancelled ballot papers. 11. The declined ballot papers. 12. The ballot papers taken from polling places. 13. Total number of printed ballots not distributed to D.R.O.'s. 14. Total number of ballot papers printed. 15. A general summary of votes cast in each Electoral District. (*Sessional Papers No. 40, 1949.*)

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Mr. Newman asked the following Question (No. 1):—

1. How many persons in Ontario were in receipt of Old Age and Blind Pensions, as of January 31st, 1949. 2. How many persons in Ontario as such were in receipt of the full \$10.00 monthly Supplementary Pension; how many between \$8.00 and \$10.00; how many between \$6.00 and \$7.99; how many between \$3.00 and \$5.99; how many between \$1.00 and \$2.99.

The Minister of Public Welfare replied as follows:—

1. 79,870. 2. 5,381; 1,269; 3,001; 4,677; 2,863.

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Mr. Ellis asked the following Question (No. 20):—

In each month of the year 1948: (a) How many persons not previously in receipt of a supplementary allowance to the old age or blind pension were awarded such supplementary allowance; (b) how many persons previously in receipt of a supplementary allowance had such allowance increased; (c) how many persons had such allowance decreased or cancelled.

The Minister of Public Welfare replied as follows:—

	(a)	(b)	(c)
January.....	853	979	46
February.....	1,353	894	72
March.....	1,920	1,060	99
April.....	1,197	963	122
May.....	1,513	561	126
June.....	1,929	1,418	144
July.....	1,401	1,262	148
August.....	1,331	1,039	132
September.....	1,898	1,276	183
October.....	2,000	1,052	190
November.....	892	1,969	259
December.....	1,441	990	220

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Mr. Oliver asked the following Question (No. 34):—

(a) What change has the Government of Ontario, or the Old Age Pension Commission made since August 17th, 1943, in the regulations in regard to the provision whereby the commission registers Notice of Grant of Pension against the property of the pensioner; (b) In how many cases has the Commission registered a Notice of Grant of Pension against the property of the pensioner from August 17th, 1943, to January 31st, 1949; (c) How many Old Age Pensions have been granted during the period August 31st, 1943, to January 31st, 1949.

The Minister of Public Welfare replied as follows:—

(a) No registration of notice is filed (i) when probable sale value of property is \$2,000.00 or less, (ii) where there are dependants unable to maintain themselves; (b) 3,931; (c) 58,091.

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Mr. Oliver asked the following Question (No. 35):—

(a) How many persons are in receipt of Mothers' Allowances showing the number of dependants; (b) In how many cases since its inception has the discretionary supplementary Mothers' Allowance of \$10.00 been granted; (c) In how many cases referred to in (b) has the supplementary allowance since been reduced or cancelled.

The Minister of Public Welfare replied as follows:—

As of March 1st, 1949: (a) 6,719, 21,111 dependants; (b) 1,719; (c) 1,108.

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Mr. Oliver asked the following Question (No. 36):—

(a) Who are the members of the Mothers' Allowances Commission and what is the salary of each; (b) Is Mr. Harry Bentley employed by the said Commission or the Department of Public Welfare. If so, in what capacity and at what salary.

The Minister of Public Welfare replied as follows:—

(a) Mr. E. T. Plant, Chairman; \$3,600.00 per annum, plus \$180.00 bonus; Miss E. V. McKechnie, Vice-Chairman; \$3,150.00 per annum, plus \$180.00 bonus; Mr. B. W. Heise—no salary as member of the Commission. (b) Yes—as consultant, \$366.66 per month.

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Mr. Oliver asked the following Question (No. 37):—

(a) Who are the members of the Old Age Pensions Commission and what is the salary of each; (b) Is Mr. Charles H. Green employed by the said Commission or the Department of Public Welfare. If so, in what capacity and at what salary.

The Minister of Public Welfare replied as follows:—

(a) Mr. S. N. Asbury, Chairman; \$4,400.00 per annum, plus \$180.00 bonus;

Mr. B. W. Heise, Vice-Chairman; No salary as member of the Commission; Mrs. Mary M. Powell; \$3,150.00 per annum, plus \$180.00 bonus. (b) Yes—as consultant, \$391.66 per month.

Mr. Oliver asked the following Question (No. 40):—

1. What amounts have been paid out of the Physical Fitness and Recreation Fund or out of the Athletics and Physical Education Fund during each of the fiscal years 1947-8 and 1948-9. 2. To whom were these amounts paid. 3. What was the balance in either fund as at March 31st, 1948, and January 31st, 1949.

The Provincial Treasurer replied as follows

1 and 2—

PAYMENTS OUT OF THE PHYSICAL FITNESS AND RECREATION FUND  
AND/OR THE ATHLETICS AND PHYSICAL EDUCATION FUND

Fiscal Year ended March 31st, 1948

Administration Expenses—as set out in detail on page 15 of the  
Public Accounts for the fiscal year ended March 31st, 1948.....\$ 15,910.84

Fiscal Year ending March 31st, 1949

Department of Education—to reimburse for expenditures incurred in connection with the operation of the Ontario Athletics Training Camp at Lake Couchiching.....	40,242.30
Ontario Society for Crippled Children.....	56,000.00
Grant to Men's Physical Education Section—Ontario Educational Association.....	250.00
Grant to Women's Physical Education Section—Ontario Educational Association.....	250.00
	<u>\$ 96,742.30</u>

NOTE: Administration Expenses for the fiscal year ending March 31st, 1949, have not as yet been charged to the Fund.

3. As at March 31st, 1949.....\$132,955.13

As at January 31st, 1949.....\$ 87,865.37

Mr. Scott (Beaches) asked the following Question (No. 49):—

1. Has a contract been let for the construction of a steam electric plant at or near Toronto. 2. If so, on what date and to whom. 3. What was the completion date quoted by the successful bidder. 4. What is the price. 5. What was the nearest completion date quoted by an unsuccessful bidder or prospective bidder. 6. Was the bidder referred to in (5) a British or American firm. 7. Was the contract awarded to the lowest bidder.

The 1st Vice-Chairman of The Hydro-Electric Power Commission of Ontario replied as follows:—

1 and 2. No contract has been let for the construction of a steam electric plant at Toronto. However, after competitive tenders were called for and received the following contract was let for certain equipment of the Toronto Steam Plant on February 1st, 1949: C. A. Parsons & Co. Ltd., Newcastle-on-Tyne, England, for one 75,000 kw. 25/60 cycle steam turbine generator. 3. Shipment 28 months from date of order. 4. \$2,480,000. 5. Shipment 28 months from date of order. 6. American manufacturer. 7. Yes.

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Mr. Oliver asked the following Question (No. 82):—

1. Is the work of land clearing, ditching and draining in the District of Cochrane done by employees of the Government or by private companies. 2. If the latter, are tenders called for such work. 3. What is the minimum number of bids which are required before a contract is awarded. 4. Are any employees of the Government permitted to bid on such work either personally or through companies formed for such purpose. 5. If so, who are the employees, what is their classification and salary. 6. What contracts have been let for such work since April 1st, 1948. To whom. At what price.

The Minister of Agriculture replied as follows:—

1. By private companies. 2. Yes. 3. Two. 4. No. 5. Answered by 4. 6. None.

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Mr. MacLeod asked the following Question (No. 94):—

1. How many persons in the City of Toronto were in receipt of Old Age Pensions as of January 31st, 1949. 2. How many persons in Toronto were in receipt of the full \$10.00 monthly supplement; how many between \$8.00 and \$10.00; how many between \$6.00 and \$7.99; how many between \$3.00 and \$5.99, and how many between \$1.00 and \$2.99.

The Minister of Public Welfare replied as follows:—

Unable to answer—statistics not kept for separate municipalities.

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The House resolved itself into a Committee to consider certain Bills, and, after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Patrick reported,

That the Committee had directed him to report the following Bills without amendment:—

Bill (No. 176), An Act to amend The Game and Fisheries Act, 1946.

Bill (No. 177), An Act to amend The Real Estate and Business Brokers Act, 1946.

Bill (No. 179), An Act to amend The Milk Control Act, 1948.

and to report the following Bill with certain amendments:—

Bill (No. 178), The Windsor Metropolitan General Hospital Inquiry Act.

*Ordered*, That the Bills reported be severally read the third time to-morrow.

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The Order of the Day for Resuming the Adjourned Debate on the Motion for Second Reading of Bill (No. 169), An Act respecting certain Charitable and other Gifts, having been read,

The Debate was resumed, and after some time it was, on motion by Mr. Millard,

*Ordered*, That the debate be further adjourned until to-morrow.

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On motion by Mr. Frost, seconded by Mr. Porter,

*Ordered*, That when this House adjourns the present sitting thereof it do stand adjourned until 10.30 o'clock to-morrow morning and will rise for noon recess at 12.30 o'clock to-morrow afternoon, to resume at 1.30 o'clock with the usual evening recess from six o'clock until eight o'clock.

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The House then adjourned at 10.50 p.m.

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TUESDAY, APRIL 5TH, 1949

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PRAYERS.

10.30 O'CLOCK A.M.

On motion by Mr. Frost, seconded by Mr. Porter,

*Ordered*, Resolved that a Select Committee of this House be appointed to act with the Chief Election Officer, the Assistant Chief Election Officer and the Clerk of the Crown-in-Chancery for the purpose of studying the Voters' Lists Act and the Election Act, with a view to a general revision of said Acts and to report the results of their deliberations to this House at the next Session thereof, the said Committee to have authority to sit during the recess of the House and to study the electoral methods of such other authorities as it thinks fit and to be

composed of fourteen Members as follows: Messrs. Blackwell (Chairman), Chartrand, Dennison, Frost, Grummett, Hall, Hamilton, Harvey (Nipissing), Jolliffe, MacLeod, Oliver, Parry, Rea and Stewart.

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On motion by Mr. Frost, seconded by Mr. Porter,

*Ordered*, That when this House adjourns the present sitting thereof it do stand adjourned until 10.30 o'clock to-morrow morning and will rise for noon recess at 12.30 o'clock to-morrow afternoon, to resume at 2.00 o'clock.

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The Order of the Day for Resuming the Adjourned Debate on the Motion for Second Reading of Bill (No. 169), An Act respecting certain Charitable and other Gifts, having been read,

The Debate was resumed, and after some time it was, on motion by Mr. Park,

*Ordered*, That the debate be further adjourned until to-morrow.

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The Minister of Education presented to the House:—

Copies of correspondence between the Honourable Dana Porter, Minister of Education, and the Honourable Paul Martin, Minister of National Health and Welfare, regarding the Province of Ontario's participation in the National Physical Fitness Programme, and also a copy of the Agreement between the Government of the Dominion of Canada and the Government of the Province of Ontario, and the Outline of Plan of the Ontario Department of Education for Physical Fitness and Recreation. (*Sessional Papers No. 54.*)

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Notice of Motion No. 11 by Mr. Brown, as follows,

Resolution—That in the opinion of the House the Government should co-operate with the Federal Government so that the benefits of the National Physical Fitness Act would be available to the citizens of this Province.

having been called, the Motion was, with the consent of the House, withdrawn.

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The House then adjourned at 11.00 p.m.



WEDNESDAY, APRIL 6TH, 1949

PRAYERS.

10.30 O'CLOCK A.M.

On motion by Mr. Kennedy, seconded by Mr. Frost,

*Ordered*, That when this House adjourns the present sitting thereof it do stand adjourned until 10.30 o'clock to-morrow morning and will rise for noon recess at 12.30 o'clock to-morrow afternoon, to resume at 2.00 o'clock.

Before the Orders of the Day, Mr. Porter advised the House that Question (No. 88), by Mr. Scott (Beaches), necessitates such a lengthy reply that the Government requires it to be made a motion for a Return.

On motion by Mr. Scott (Beaches), seconded by Mr. Fell,

*Ordered*, That there be laid before this House a Return showing: What number of candidates for Secondary School Graduation (Grade XIII) were granted (a) first-class standing, (b) second-class standing, (c) third-class standing, (d) credit standing, in the examinations of 1943, 1944, 1945, 1946 and 1947.

Mr. Speaker informed the House that he was now prepared to give his ruling on the question of the tabling of private correspondence by Private Members, which ruling had been requested by Mr. Grummett in connection with certain letters read by Mr. Temple during the course of a debate yesterday.

Mr. Speaker's ruling was as follows:

"In the speech of the honourable member for High Park in the debate on the Second Reading of Bill (No. 169) last night the honourable member read certain letters he had received from constituents expressing views as to the Bill before the House. The honourable member for Lanark asked the honourable member for High Park to table the letters and the honourable member for High Park appeared to acquiesce in this request. At this point objection was taken by the honourable member for Cochrane South who took the view that the letters ought not to be tabled.

My view is that any honourable member may in the course of a speech refer to or quote from any correspondence he has received relevant to the motion under debate and may or may not, as he wishes, disclose the name of the writer. The decision is his. The responsibility is his.

I do not think that as a general rule private correspondence referred to in debate ought to be tabled, but if a member wishes to do so, either of his own volition or in answer to a request to do so, I can find no authority that

says he may not. The decision is his and his alone. See May's Parliamentary Practice, 9th Edition, at pages 378 and 379.

My ruling therefore is that the honourable member for High Park may or may not, as he wishes, table the letters in question."

The Order of the Day for resuming the adjourned debate on the motion for the second reading of Bill (No. 169), An Act respecting certain Charitable and other Gifts, having been read, and the debate having continued, after some time the motion having been put was carried on the following Division:—

## YEAS

Allen	Hall	Parry
Blackwell	Hamilton	Patrick
Cathcart	Hanna	Phillips
Cecile	Harvey	Porter
Challies	(Nipissing)	Pringle
Daley	Hunt	Pryde
Dempsey	Janes	Robson
Dent	Johnston	Sandercock
Doucett	(Parry Sound)	Scott
Downer	Johnston	(Peterborough)
Dunbar	(Simcoe Centre)	Stewart
Edwards	Kennedy	Thomas
Foote	Mackenzie	(Elgin)
Frost	Martin	Villeneuve
Fullerton	Morrow	Welsh
Gemmell	Murdoch	White—47
Goodfellow	McDonald	
Griesinger	Nault	

## NAYS

Baxter	Harvey	Oliver
Brown	(Sault Ste. Marie)	Park
Calder	Houck	Salsberg
Chartrand	Jolliffe	Scott
Cox	Leavens	(Beaches)
Dennison	MacLeod	Temple
Dowling	Macphail	Thomas
Easton	Millard	(Ontario)
Fell	McEwing	Thornberry
Foster	McMillan	Walker
Gordon	Newman	Walters
Grummett	Nixon	Wisner—33

and the Bill was accordingly read the second time and referred to a Committee of the Whole House to-morrow.

The Order of the Day for the Second Reading of Bill (No. 41), An Act to amend The Hours of Work and Vacations with Pay Act, 1944, having been read,

Mr. Park moved that the Bill be now read a second time, and, a debate arising, after some time it was, on motion by Mr. Salsberg,

*Ordered*, That the debate be adjourned.

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The House then adjourned at 6.10 p.m.

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THURSDAY, APRIL 7TH, 1949

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PRAYERS.

10.30 O'CLOCK A.M.

On motion by Mr. Oliver, seconded by Mr. Kennedy,

*Ordered*, That a Select Committee of this House be appointed to study all aspects of conservation, notably, (1) soil depletion, (2) drainage, (3) flood control, (4) reforestation, (5) local demonstration farms, (6) soil analysis. Such Committee to have authority to send for persons, papers and things, to sit during the recess of the House, and to report its findings to the House at the next Session thereof. Such Committee to be composed as follows: Messrs. Thomas (Elgin), Chairman, Dent, Hunt, Isley, Janes, Jolliffe, McMillan, Oliver and Villeneuve.

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On motion by Mr. Kennedy, seconded by Mr. Frost,

*Ordered*, That when this House adjourns the present sitting thereof, it do stand adjourned until 11.00 o'clock to-morrow morning.

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The following Bill was introduced and read the first time:—

Bill (No. 181), intituled, "An Act respecting Leslie E. Wismer, M.P.P."  
*Mr. Blackwell.*

*Ordered*, That the Bill be read the second time to-day.

---

The following Bill was read the second time:—

Bill (No. 181), An Act respecting Leslie E. Wismer, M.P.P.

Referred to a Committee of the Whole House to-day.

The House resolved itself into a Committee to consider certain Bills, and, after some time spent therein, Mr. Speaker resumed the Chair, and Mr. Patrick reported,

That the Committee had directed him to report the following Bill without amendment:—

Bill (No. 181), An Act respecting Leslie E. Wismer, M.P.P.

and to report the following Bill with certain amendments.

Bill (No. 169), An Act respecting certain Charitable and other Gifts.

Bill (No. 4), An Act respecting Cottam Farmers Limited.

*Ordered*, That the Bills reported be severally read the third time to-day.

The Order of the Day for the Second Reading of Bill (No. 83), An Act to amend The Hours of Work and Vacations with Pay Act, 1944, having been read,

Mr. Brown moved that the Bill be now read a second time. The Motion having been put was lost on the following Division:—

#### YEAS

Baxter	Houck	Scott
Brown	Isley	(Beaches)
Calder	Jolliffe	Taylor
Chartrand	Leavens	Temple
Dennison	MacLeod	Thomas
Dowling	Macphail	(Ontario)
Easton	Millard	Thornberry
Fell	McMillan	Walker
Foster	Newman	Walters
Gordon	Nixon	Wismer—32
Grunmett	Park	
Harvey	Salsberg	
(Sault Ste. Marie)		

#### NAYS

Allen	Dunbar	Hamilton
Blackwell	Edwards	Hanna
Cecile	Foote	Harvey
Challies	Frost	(Nipissing)
Daley	Fullerton	Hunt
Dempsey	Gemmell	Janes
Dent	Griesinger	Johnston
Doucett	Hall	(Parry Sound)

## NAYS—Continued

Johnston  
(Simcoe Centre)Kennedy  
Mackenzie  
Martin  
Morrow  
Murdoch  
McDonaldParry  
Patrick  
Phillips  
Pringle  
Pryde  
Robson  
SandercockScott  
(Peterborough)Stewart  
Thomas  
(Elgin)  
Villeneuve  
Welsh  
White—42

The Order of the Day for the Second Reading of Bill (No. 124), An Act respecting Women's Wage Rates, having been read,

Mr. Park moved that the Bill be now read a second time.

Mr. Kennedy moved in amendment, seconded by Mr. Frost, that the Bill be not now read a second time but be read a second time sixty days hence.

Mr. MacLeod asked Mr. Speaker to rule as to whether such an amendment is in order to a motion for second reading.

Mr. Speaker ruled that the amendment was in order, and referred the House to "Parliamentary Procedure in Ontario," page 57, as follows:—

"The ordinary method of removing a Bill from the possibility of further consideration is to move that the Bill be not now read a second time but be read a second time this day six months."

and also quoted from the 14th edition of "May's Parliamentary Practice" which cites identical procedure for the purpose of suspending consideration of the motion for the second reading of a Bill.

Mr. Speaker then submitted to the House the amendment by Mr. Kennedy which was carried on the following Division:—

## YEAS

Allen  
Blackwell  
Cathcart  
Cecile  
Challies  
Daley  
Dempsey  
Dent  
Doucett  
DownerDunbar  
Edwards  
Foote  
Frost  
Fullerton  
Gemmell  
Goodfellow  
Griesinger  
Hall  
HamiltonHanna  
Harvey  
(Nipissing).  
Hunt  
Janes  
Johnston  
(Parry Sound)  
Johnston  
(Simcoe Centre)  
Kennedy

## YEAS—Continued

Mackenzie	Phillips	Stewart
Martin	Porter	Thomas
Morrow	Pringle	(Elgin)
Murdoch	Pryde	Villeneuve
McDonald	Robson	Welsh
Nault	Sandercock	White—47
Parry	Scott	
Patrick	(Peterborough)	

## NAYS

Baxter	Houck	Park
Calder	Isley	Salsberg
Chartrand	Jolliffe	Scott
Dennison	Leavens	(Beaches)
Dowling	MacLeod	Taylor
Easton	Macphail	Temple
Fell	Millard	Thomas
Foster	McEwing	(Ontario)
Gordon	McMillan	Thornberry
Grummett	Newman	Walker
Harvey	Nixon	Walters
(Sault Ste. Marie)	Oliver	Wismer—33

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The Order of the Day for the Second Reading of Bill (No. 170), An Act to amend The Liquor Licence Act, 1946, having been read,

Mr. Millard moved that the Bill be now read a second time, and, a debate arising, after some time the Motion having been put was lost on the following Division:—

## YEAS

Baxter	Houck	Park
Calder	Isley	Salsberg
Chartrand	Jolliffe	Scott
Dennison	Leavens	(Beaches)
Dowling	MacLeod	Taylor
Easton	Macphail	Temple
Fell	Millard	Thomas
Foster	McEwing	(Ontario)
Gordon	McMillan	Thornberry
Grummett	Newman	Walker
Harvey	Nixon	Walters
(Sault Ste. Marie)	Oliver	Wismer—33

## NAYS

Allen	Hall	Parry
Blackwell	Hamilton	Patrick
Cathcart	Hanna	Phillips
Cecile	Harvey	Porter
Challies	(Nipissing)	Pringle
Daley	Hunt	Pryde
Dempsey	Janes	Robson
Dent	Johnston	Sandercock
Doucett	(Parry Sound)	Scott
Downer	Johnston	(Peterborough)
Dunbar	(Simcoe Centre)	Stewart
Edwards	Kennedy	Thomas
Foote	Mackenzie	(Elgin)
Frost	Martin	Villeneuve
Fullerton	Morrow	Welsh
Gemmell	Murdoch	White—47
Goodfellow	McDonald	
Griesinger	Nault	

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The following Bills were read the third time and were passed:—

Bill (No. 176), An Act to amend The Game and Fisheries Act, 1946.

Bill (No. 177), An Act to amend The Real Estate and Business Brokers Act, 1946.

Bill (No. 178), The Windsor Metropolitan General Hospital Inquiry Act.

Bill (No. 179), An Act to amend The Milk Control Act, 1948.

Bill (No. 181), An Act respecting Leslie E. Wismer, M.P.P.

Bill (No. 4), An Act respecting Cottam Farmers Limited.

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The Order of the Day for the Third Reading of Bill (No. 169), An Act respecting certain Charitable and other Gifts, having been read,

Mr. Frost moved that the Bill be now read a third time.

Mr. Jolliffe moved in amendment, seconded by Mr. Grummett,

That all the words of the Motion, after the word "that", be omitted, and the following substituted therefor:—

"Bill No. 169 be not now read a third time but be forthwith recommitted to the Committee of the Whole House with instructions to amend Section 2 thereof by striking out subsection (1)."

The Amendment having been put was lost on the following Division:—

## YEAS

Baxter	Houck	Salsberg
Calder	Isley	Scott
Chartrand	Jolliffe	(Beaches)
Cox	Leavens	Taylor
Dennison	MacLeod	Temple
Dowling	Macphail	Thomas
Easton	Millard	(Ontario)
Fell	McEwing	Thornberry
Foster	McMillan	Walker
Gordon	Newman	Walters
Grummett	Nixon	Wisner—34
Harvey	Oliver	
(Sault Ste. Marie)	Park	

## NAYS

Allen	Hall	Parry
Blackwell	Hamilton	Patrick
Cathcart	Hanna	Phillips
Cecile	Harvey	Porter
Challies	(Nipissing)	Pringle
Daley	Hunt	Pryde
Dempsey	Janes	Robson
Dent	Johnston	Sandercock
Doucett	(Parry Sound)	Scott
Downer	Johnston	(Peterborough)
Dunbar	(Simcoe Centre)	Stewart
Edwards	Kennedy	Thomas
Foote	Mackenzie	(Elgin)
Frost	Martin	Villeneuve
Fullerton	Morrow	Welsh
Gemmell	Murdoch	White—47
Goodfellow	McDonald	
Griesinger	Nault	

Mr. Oliver then moved in amendment, seconded by Mr. Nixon,

That all the words of the Motion, after the word "that", be omitted, and the following substituted therefor:—

"Bill No. 169 be not now read a third time but be recommitted forthwith to the Committee of the Whole House with instructions to amend Section 1 thereof by striking out the word 'ten' in subsection (1) and substituting therefor the words 'fifty-one'."



Mr. Speaker ruled that the amendment as offered could not be submitted for consideration by the House as it went to the principle of the Bill which had already been debated and settled by the House. He referred the House to Rule No. 49.

On Mr. Oliver appealing against Mr. Speaker's ruling, the ruling was sustained on the following Division:—

## YEAS

Allen	Hall	Parry
Blackwell	Hamilton	Patrick
Cathcart	Hanna	Phillips
Cecile	Harvey	Porter
Challies	(Nipissing)	Pringle
Daley	Hunt	Pryde
Dempsey	Janes	Robson
Dent	Johnston	Sandercock
Doucett	(Parry Sound)	Scott
Downer	Johnston	(Peterborough)
Dunbar	(Simcoe Centre)	Stewart
Edwards	Kennedy	Thomas
Foote	Mackenzie	(Elgin)
Frost	Martin	Villeneuve
Fullerton	Morrow	Welsh
Gemmell	Murdoch	White—47
Goodfellow	McDonald	
Griesinger	Nault	

## NAYS

Baxter	Houck	Salsberg
Calder	Isley	Scott
Chartrand	Jolliffe	(Beaches)
Cox	Leavens	Taylor
Dennison	MacLeod	Temple
Dowling	Macphail	Thomas
Easton	Millard	(Ontario)
Fell	McEwing	Thornberry
Foster	McMillan	Walker
Gordon	Newman	Walters
Grummett	Nixon	Wisner—34
Harvey	Oliver	
(Sault Ste. Marie)	Park	

Mr. Millard then moved in amendment, seconded by Miss Macphail,

That all the words of the Motion, after the word "that", be omitted, and the following substituted therefor:—

"Bill No. 169 be not now read a third time but be forthwith recommitted to the Committee of the Whole House with instructions to

amend Section 2 thereof by striking out the word 'seven' wherever it appears in subsections (1) and (2) and substituting therefor the words 'twenty-one'."

Mr. Speaker ruled that this proposed amendment was also out of order and quoted the same reasons as applied to the proposed amendment offered by Mr. Oliver.

On Mr. Jolliffe appealing against Mr. Speaker's ruling, the ruling was sustained on the following Division:—

## YEAS

Allen	Hall	Parry
Blackwell	Hamilton	Patrick
Cathcart	Hanna	Phillips
Cecile	Harvey	Porter
Challies	(Nipissing)	Pringle
Daley	Hunt	Pryde
Dempsey	Janes	Robson
Dent	Johnston	Sandercock
Doucett	(Parry Sound)	Scott
Downer	Johnston	(Peterborough)
Dunbar	(Simcoe Centre)	Stewart
Edwards	Kennedy	Thomas
Foote	Mackenzie	(Elgin)
Frost	Martin	Villeneuve
Fullerton	Morrow	Welsh
Gemmell	Murdoch	White—47
Goodfellow	McDonald	
Griesinger	Nault	

## NAYS

Baxter	Houck	Salsberg
Calder	Isley	Scott
Chartrand	Jolliffe	(Beaches)
Cox	Leavens	Taylor
Dennison	MacLeod	Temple
Dowling	Macphail	Thomas
Easton	Millard	(Ontario)
Fell	McEwing	Thornberry
Foster	McMillan	Walker
Gordon	Newman	Walters
Grummett	Nixon	Wismer—34
Harvey	Oliver	
(Sault Ste. Marie)	Park	

Mr. Wismer then moved in amendment, seconded by Mr. Park,

That all the words of the Motion, after the word "that", be omitted, and the following substituted therefor:—

"Bill No. 169 be not now read a third time but be forthwith recommended to the Committee of the Whole House with instructions to amend Section 10 thereof by striking out all the words after the word 'on' and substituting therefor the words 'a day to be named by the Lieutenant-Governor by his Proclamation'."

The amendment having been put was lost on the following Division:—

## YEAS

Baxter	Houck	Salsberg
Calder	Isley	Scott
Chartrand	Jolliffe	(Beaches)
Cox	Leavens	Taylor
Dennison	MacLeod	Temple
Dowling	Macphail	Thomas
Easton	Millard	(Ontario)
Fell	McEwing	Thornberry
Foster	McMillan	Walker
Gordon	Newman	Walters
Grummett	Nixon	Wisner—34
Harvey	Oliver	
(Sault Ste. Marie)	Park	

## NAYS

Allen	Hall	Parry
Blackwell	Hamilton	Patrick
Cathcart	Hanna	Phillips
Cecile	Harvey	Porter
Challies	(Nipissing)	Pringle
Daley	Hunt	Pryde
Dempsey	Janes	Robson
Dent	Johnston	Sandercock
Doucett	(Parry Sound)	Scott
Downer	Johnston	(Peterborough)
Dunbar	(Simcoe Centre)	Stewart
Edwards	Kennedy	Thomas
Foote	Mackenzie	(Elgin)
Frost	Martin	Villeneuve
Fullerton	Morrow	Welsh
Gemmell	Murdoch	White—47
Goodfellow	McDonald	
Griesinger	Nault	

Mr. MacLeod then moved in amendment, seconded by Mr. Salsberg,

That all the words of the Motion after the word "that" be omitted, and the following substituted therefor:—

"Bill No. 169 be not now read a third time but be read a third time this day six months hence."

The amendment having been put was lost on the following Division:—

## YEAS

Baxter	Houck	Salsberg
Calder	Isley	Scott
Chartrand	Jolliffe	(Beaches)
Cox	Leavens	Taylor
Dennison	MacLeod	Temple
Dowling	Macphail	Thomas
Easton	Millard	(Ontario)
Fell	McEwing	Thornberry
Foster	McMillan	Walker
Gordon	Newman	Walters
Grummett	Nixon	Wisner—34
Harvey	Oliver	
(Sault Ste. Marie)	Park	

## NAYS

Allen	Hall	Parry
Blackwell	Hamilton	Patrick
Cathcart	Hanna	Phillips
Cecile	Harvey	Porter
Challies	(Nipissing)	Pringle
Daley	Hunt	Pryde
Dempsey	Janes	Robson
Dent	Johnston	Sandercock
Doucett	(Parry Sound)	Scott
Downer	Johnston	(Peterborough)
Dunbar	(Simcoe Centre)	Stewart
Edwards	Kennedy	Thomas
Foote	Mackenzie	(Elgin)
Frost	Martin	Villeneuve
Fullerton	Morrow	Welsh
Gemmell	Murdoch	White—47
Goodfellow	McDonald	
Griesinger	Nault	

The Motion for the Third Reading of the Bill having been put was carried on the following Division:—

## YEAS

Allen	Hall	Parry
Blackwell	Hamilton	Patrick
Cathcart	Hanna	Phillips
Cecile	Harvey	Porter
Challies	(Nipissing)	Pringle
Daley	Hunt	Pryde
Dempsey	Janes	Robson
Dent	Johnston	Sandercock
Doucett	(Parry Sound)	Scott
Downer	Johnston	(Peterborough)
Dunbar	(Simcoe Centre)	Stewart
Edwards	Kennedy	Thomas
Foote	Mackenzie	(Elgin)
Frost	Martin	Villeneuve
Fullerton	Morrow	Welsh
Gemmell	Murdoch	White—47
Goodfellow	McDonald	
Griesinger	Nault	

## NAYS

Baxter	Houck	Salsberg
Calder	Isley	Scott
Chartrand	Jolliffe	(Beaches)
Cox	Leavens	Taylor
Dennison	MacLeod	Temple
Dowling	Macphail	Thomas
Easton	Millard	(Ontario)
Fell	McEwing	Thornberry
Foster	McMillan	Walker
Gordon	Newman	Walters
Grummett	Nixon	Wismer—34
Harvey	Oliver	
(Sault Ste. Marie)	Park	

and Bill (No. 169), An Act respecting certain Charitable and other Gifts, was accordingly read the third time and was passed.

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The House then adjourned at 5.00 p.m.

TORONTO, FRIDAY, APRIL 8TH, 1949

PRAYERS.

11 O'CLOCK A.M.

Mr. Frost, from the Standing Committee on Privileges and Elections, presented the Committee's Report and moved that it be printed as an appendix to the Journals of the House, which motion was carried.

Mr. Houck asked the following Question (No. 51):—

On what date did the Hydro-Electric Power Commission of Ontario, or any official thereof, apply to the Right Honourable C. D. Howe for priorities in connection with the construction of the Des Joachims Development.

The 1st Vice-Chairman of The Hydro-Electric Power Commission of Ontario replied as follows:—

Requests for priorities in connection with Des Joachims and other projects were made by Commission officials to the appropriate officials in the Department of Munitions and Supply and the Department of Reconstruction and Supply, both verbally and in writing, over a period of several years. For example: on February 15th, 1945, an application was made by the Commission's Chief Priorities Officer to the Deputy Steel Controller in the Department of Munitions and Supply. This application was for 1,625 tons of structural steel for transmission towers to be constructed during 1945. (See attached letter marked "A" and reply, dated February 23rd, 1945, marked "B"). Following this reply which pointed out the impossibility of obtaining 1,625 tons of steel for the year, the Commission modified its request to 850 tons. (See attached letter, dated March 6th, 1945, marked "C" and reply dated March 9th, 1945, and marked "D", advising in part: "We could not possibly look after this tonnage in the second quarter without cutting into shell steel orders and other vital work.")

Application for assistance was again made in November 29th, 1946. (See letter attached, marked "E", setting out the required quantities: 1947—1,000 tons per month; 1948—1,800 tons per month; 1949—1,800 tons per month; 1950—1,200 tons per month.)

Application for assistance was made again on December 3rd, 1946. (See copy of telegram attached, from Dr. T. H. Hogg to the Right Honourable C. D. Howe, marked "F", and copy of telegram attached, dated December 4th, 1946, from the Right Honourable C. D. Howe to Dr. T. H. Hogg, marked "G".)

Conferences were held in Ottawa again during the month of March, 1948, at which the Chairman of the Commission requested the assistance of both the Right Honourable Mr. C. D. Howe and Mr. W. E. Uren, Steel Controller, to

obtain the Commission's required steel for transmission towers—1,549 tons per month for a three-year period. These requests were replied to by the Right Honourable C. D. Howe by letter, dated April 7th, 1948, to R. H. Saunders, Marked "H", concluding with the statement: "For the reasons stated above I regret that it will not be possible at this time to offer any hope for increased tonnages."

"A"

February 15th, 1945.

M. J. McHENRY.

Mr. A. C. Anderson,  
Deputy Steel Controller,  
Department of Munitions and Supply,  
Building No. 3,  
Ottawa, Ontario.

Dear Sir:

Referring to our conversation on Tuesday last, I would advise you that the Commission is at present planning the construction of 2—110 kv. steel tower lines during the year. These lines will be required to relieve very unsatisfactory conditions in certain areas in the province where the load is increased during the war, and where the existing lines are old and badly overloaded.

We are desirous of ascertaining the availability of the necessary steel for the towers for these lines, and as suggested by you, I would give you the following information as to the tonnage and sizes. The total tonnage required for the two lines contemplated would be 1,625 tons. The material consists of the following sections:

Angles— $1\frac{1}{2} \times 1\frac{1}{2} \times \frac{1}{8}$ ,  $1\frac{3}{4} \times 1\frac{3}{4} \times \frac{1}{8}$ ,  $1\frac{3}{4} \times 1\frac{3}{4} \times \frac{3}{16}$ ,  $2 \times 2 \times \frac{1}{8}$ ,  $2'' \times 2 \times \frac{3}{16}$ ,  $2\frac{1}{4} \times 2\frac{1}{4} \times \frac{1}{8}$ ,  $2\frac{1}{2}'' \times 2\frac{1}{2} \times \frac{1}{8}$ ,  $2\frac{1}{2}'' \times 2\frac{1}{2} \times \frac{3}{16}$ ,  $2\frac{1}{2} \times 2\frac{1}{2} \times \frac{1}{4}$ ,  $3 \times 3 \times \frac{3}{16}$ ,  $3 \times 3 \times \frac{1}{4}$ ,  $3\frac{1}{2} \times 3\frac{1}{2} \times \frac{1}{4}$ ,  $4 \times 3 \times \frac{1}{4}$ ,  $4 \times 4 \times \frac{3}{8}$ ,  $5 \times 3\frac{1}{2} \times \frac{3}{16}$ ,  $5 \times 5 \times \frac{3}{8}$ .

Channels—7" at 9.8 lb.

Bars— $2\frac{3}{4}'' \times \frac{5}{16}$ ,  $5 \times \frac{5}{16}$ ,  $5 \times \frac{3}{8}$ ,  $7 \times \frac{1}{4}$ ,  $7 \times \frac{1}{2}$ ,  $8 \times \frac{1}{4}$ .

Plates— $13 \times \frac{3}{16}$ ",  $13 \times \frac{3}{8}$ ,  $14 \times \frac{1}{4}$ ",  $18 \times \frac{3}{16}$ ,  $20 \times \frac{3}{16}$ ,  $21\frac{1}{4} \times \frac{3}{16}$ ,  $23\frac{1}{2} \times \frac{3}{16}$

With this information, I trust it may be possible for you to give me some advice as to the availability and scheduling of the necessary steel for these units, which will likely be accomplished by the Canadian Bridge Company.

Yours very truly,

M. J. McHENRY,  
Chief Priorities Officer.

MJMcH:P

"B"

Refer to File 700.

## DEPARTMENT OF MUNITIONS AND SUPPLY

OTTAWA, CANADA

February 23rd, 1945.

Mr. M. J. McHenry,  
Chief Priorities Officer,  
The Hydro-Electric Power Commission of Ontario  
620 University Avenue,  
Toronto 2, Ontario.

Dear Mr. McHenry:

Answering your letter of February 15th, covering list of steel required for power lines I have taken this up with Mr. M. A. Hoey and also with our bar scheduling Department and it has been suggested that this be postponed as there is no possibility of getting the required steel from the mills at this time.

Due to increased war programmes, we are very heavily scheduled for some time to come but if this situation changes in the near future we will certainly advise you.

Yours truly,

(Sgd.) A. C. ANDERSON,  
"Per R.B."

A. C. ANDERSON,  
Deputy Steel Controller.

ACA/RB

"C"

March 6th, 1945,  
M. J. McHENRY.

Mr. A. C. Anderson,  
Deputy Steel Controller,  
Department of Munitions and Supply,  
Ottawa, Ontario.

Dear Mr. Anderson:

Re: Your File No. 700  
110 K.V. Steel Tower Transmission Line.

Referring to your letter of February 23rd, we have taken into consideration the difficulties in the supply of steel, and have endeavoured to adjust our program in line with the information given in your letter.

We find that we are faced with a rather difficult situation in respect to part of the program outlined in our letter to you of February 15th, in that it



seems almost impossible to postpone part of the program therein outlined. We are faced with the situation in connection with our line from Ottawa to Cornwall, on which all industry in that area relies. The power supply to this area has been over a single circuit 110 K.V. line of light construction from Ottawa to Cornwall. We have endeavoured to keep this line in service, and have made all improvements in connection with it that can be made, such as increased spacing of wires, the removal of telephone wires from the towers, but we are still faced with frequent outages during wind, sleet and lightning storms, and our service is being severely complained of by the principal industrial customers.

The line is loaded to such a point that regulation has been very poor, and losses severe. Reinforcement by an additional line is necessary, if we are to supply suitable service to existing customers, and if we are to supply additional load which is now contemplated.

This will not entail the supply of the total quantity of steel indicated in our letter of February 15th. The size and type of steel will be as indicated in that letter, but the total quantity will be 850 tons rather than 1,625 indicated as covering total line requirements.

We have therefore endeavoured to reduce the total amount required to a minimum, and in view of the essentiality of this particular transmission line, we would be very pleased if you would kindly re-consider the proposition, and advise us if the necessary steel for this portion only could be provided, and indicate some idea as to the scheduling of it.

Yours very truly,

M. J. McHENRY,  
Chief Priorities Officer.

MJMcH:P

"D"

Refer to File 700

DEPARTMENT OF MUNITIONS AND SUPPLY

OTTAWA, CANADA

March 9th, 1945.

The Hydro-Electric Power Commission,  
Engineering Department,  
620 University Avenue,  
Toronto 2, Ontario.

Gentlemen:

Attention: MR. M. J. McHENRY

We have your letter of March 6th with reference to 110 K.V. Steel Tower Transmission Line. I have reviewed this with all parties concerned and it has been decided that we could not possibly look after this tonnage in the second quarter without cutting into shell steel orders and other very vital work.

However, there are possibilities of a change in our steel situation as this picture might change very rapidly. We would therefore suggest that you keep in touch with us and if any change occurs, we will let you know.

Yours very truly,

ACA/C

A. C. ANDERSON,  
Deputy Steel Controller.

"E"

November 29th, 1946.

Rt. Hon. C. D. Howe,  
Minister of Reconstruction and Supply,  
Ottawa, Canada.

Dear Mr. Howe:

In trying to catch up on some of our back-log of new generation and transmission, we have this past week run into a serious bottleneck in the supply of structural steel for transmission towers.

We will require approximately 69,600 tons of steel for the years 1947-50 inclusive at the following rates:—

1947—1,000 tons per month
1948—1,800   "   "   "
1949—1,800   "   "   "
1950—1,200   "   "   "

We understand from the Canadian Bridge Co. that the present supply of steel for the Hydro transmission tower requirements is at the rate of 500 tons per month from the Algoma Steel Corporation at Sault Ste. Marie and about 200 tons per month from other sources. The Canadian Bridge Co. is the only steel company in Ontario fabricating transmission towers for us at this time.

The shapes of the steel going into the towers is indicated in a tabulation attached. All this material, with exception of H Beams, I understand is rolled in the Canadian mills.

I felt that the matter was of such importance that I should bring it to your attention so that if there is any help that you could give us in solving the problem, it could be done without further delay.

Mr. Hearn has already been in touch with Mr. Uren and talked to him in a preliminary way over the telephone and intends to give him all details within the next week or ten days.

Our shortage of power is becoming more acute as time goes on, and it is imperative that we get as many plants and main transmission lines in operation as possible at an early date, otherwise I am fearful that our whole industrial structure in the Province will be handicapped for lack of an adequate power supply.

Yours sincerely,

(Sgnd.) T. H. HOGG,  
Chairman.

"F"

## CANADIAN NATIONAL TELEGRAPHS

December 3, 1946.

Rt. Hon. C. D. Howe,  
Minister of Reconstruction and Supply,  
Ottawa, Ontario.

We have anticipated some relief from power shortage in the Southern Ontario System by September, 1947, at which time the second unit at DeCew Falls of 64,000 kva. capacity was scheduled to go into service. Stop. Delivery of this generator from Canadian General Electric to meet this date now threatened by lack of essential steel plate for fabrication of this unit previously scheduled for November and December and which we understand from Canadian General Electric has been removed from November-December schedule. Stop. Mr. Hearn will be in Ottawa Thursday morning and would appreciate appointment with you so he can present this problem.

T. H. HOGG.

"G"

## CANADIAN NATIONAL TELEGRAPHS

December 4, 1946.

Dr. T. H. Hogg,  
Hydro-Electric Power Commission of Ontario,  
Toronto.

Reurtel understand C.G.E. have allotment from mills totalling 350 tons per month for plants at Toronto, Peterborough and Montreal. Stop. Find in view urgency of various electrical equipment programmes Steel Company have not charged General Electric with any particular strike loss and C.G.E. will get its allotment of steel plate month by month without interruption. Stop. Cannot recommend additional tonnage from mills at this stage since it would be depriving other already urgent programmes and suggest you continue to press C.G.E. for inclusion your requirements in fabrication plans of near future.

C. D. HOWE.

"H"

OFFICE OF  
THE MINISTER OF RECONSTRUCTION AND SUPPLY

OTTAWA, CANADA

April 7, 1948.

Dear Mr. Saunders:

The steel requirements of Ontario Hydro in relation to current steel production have been the subject of a very careful review by officers of the Department and myself. While appreciating the electric power position in the Province,

we feel that it is impossible to step up monthly deliveries to Canadian Bridge Company above present levels. To do so would seriously disrupt existing deliveries to railway car builders, the agricultural industry, as well as other hydro-electric developments, all of which you will agree have equally urgent delivery requirements.

A breakdown of the deliveries to Canadian Bridge Company reveal that that company is giving Ontario Hydro approximately 850 tons per month out of a total monthly quota of steel of 1,313 tons.

If Ontario Hydro's requirements for the first quarter of 1948 are comparable to those of the second quarter, the total for the first half of 1948 is as follows:—

Type	Size	6 Months	Monthly
Angles.....	6 x 6 to 3 x 3	7,936 tons	1,622 tons
Angles.....	2½ x 2½ to 1½ x 1½	2,006 "	333 "
Heavy Structurals...		341 "	57 "
TOTAL.....		10,283 tons	2,012 tons

I appreciate that 463 tons per month in the form of 5 x 5 angles are not being rolled in Canada. Therefore, your total Canadian requirements are 1,549 tons per month. As against this, you will receive roughly 850 tons per month from Canadian Bridge Company or 54% of your total Canadian requirements.

Owing to the fact that the mill rolling cycle with respect to structurals is on a 3-month basis, the fulfilling of your total requirements, which fall largely in a limited number of sizes, would take practically the total rolling of these sizes. To increase the production of these sizes, or to introduce the rolling of 5 x 5 angles, would not improve the situation as the total tonnage rolled in a cycle would not be increased. The gain in these sizes could only be effected by a proportionate loss in other sizes.

For the reasons stated above, I regret that it will not be possible at this time to offer any hope for increased tonnages.

Yours very truly,

C. D. HOWE.

R. H. Saunders, Esq., Chairman,  
The Hydro-Electric Power Commission of Ontario,  
620 University Avenue,  
Toronto 2, Ontario.

Mr. McEwing asked the following Question (No. 92):—

(a) On what date or dates, in what terms and in what manner did the Government give any notice of the cancellation of the Hog Subsidy on January 1st, 1949; (b) To whom was such notice given.

The Minister of Agriculture replied as follows:—

(a) After warning the Secretary and Executive of the Ontario Hog Producers' Association on numerous occasions, official notice was verbally given on December 21st, 1948, by the Prime Minister and Minister of Agriculture, that the hog subsidy would be cancelled the end of the calendar year, December 31st, 1948;  
(b) The Secretary and Members of the Executive, Ontario Hog Producers' Association.

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The Honourable the Lieutenant-Governor entered the Chamber of the Legislative Assembly and being seated upon the Throne,

Mr. Speaker address His Honour in the following words:—

*May it please Your Honour:*

The Legislative Assembly of the Province has at its present Sittings thereof passed several Bills to which, in the name and on behalf of the said Legislative Assembly, I respectfully request Your Honour's Assent.

The Clerk Assistant then read the titles of the Bills that had passed, as follows:—

Bill (No. 4), An Act respecting Cottam Farmers Limited.

Bill (No. 169), An Act respecting certain Charitable and other Gifts.

Bill (No. 176), An Act to amend The Game and Fisheries Act, 1946.

Bill (No. 177), An Act to amend The Real Estate and Business Brokers Act, 1946.

Bill (No. 178), The Windsor Metropolitan General Hospital Inquiry Act.

Bill (No. 179), An Act to amend The Milk Control Act, 1948.

Bill (No. 181), An Act respecting Leslie E. Wismer, M.P.P.

To these Bills the Royal Assent was announced by the Clerk of the Legislative Assembly in the following words:—

In His Majesty's name the Honourable the Lieutenant-Governor doth assent to these Bills.

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His Honour was then pleased to deliver the following gracious speech:—

*Mr. Speaker and Members of the Legislative Assembly:*

It is now my duty to prorogue the first session of the Twenty-third Legislature of the Province of Ontario. In doing so, I wish to thank you, in the name

of His Majesty, for your faithful application to the public questions which have been placed before you for consideration and decision. The legislation which my Government has brought forward, and which you have approved, includes many measures in keeping with governmental and administrative progress, and some of unusual importance.

In all, one hundred and sixteen Public Bills have received your approval. In all fields of provincial government and administration, measures have been given legislative sanction, consistent with the development of the Province. I should mention, specifically, a few of those having special importance.

A measure has been approved which will provide for the fullest consideration of the rights and interests of children whose parents become involved with the misfortune of divorce.

Wider assistance to Municipalities, particularly in relation to police and fire protection, has been provided.

Very considerably expanded superannuation and retirement benefits for teachers have been developed, not only for those who will retire at some future time, but for those who are now receiving superannuation allowances.

My Government's concern for the special problems of those afflicted by the disease of alcoholism has brought about the establishment of "The Alcoholics Research Foundation".

The interests of the people in regard to the manufacture and sale of Oleo-margarine have been protected by regulatory measures.

The rights, privileges and obligations of Ontario, and of its people, which relate to the support of charitable, religious and educational intents and purposes, have been more strongly safeguarded, and further assistance to these highly commendable purposes, more effectively encouraged.

In thirty Private Bills you have dealt with many special subjects requiring legislative action.

Many other matters have been occupying your attention during the session. I wish to mention particularly the increased provision which has been made for old age pensioners.

With much sorrow I make reference to the unexpected passing during the session of Walter B. Reynolds, the Member for Leeds. After many years in this House, during a good part of which time he has served with great understanding as Chairman of the Committee of the Whole House, his death loses to all of us, a true friend and an unselfish public servant. In the fullness of his life he was devoted, to an unusual degree, to public affairs and public service, and gave more than generously of his time and talents. To his widow and family goes our deepest sympathy, and to his memory, our respect.

Satisfactory financial provision has been made for the ensuing year. It is a matter of encouragement that without new or increased taxation the necessarily

greater demands for funds have been answered. Great pride may be taken in these certain indications of the substance and stability of the Province and of its people.

I conclude with an expression of my gratitude for the appropriations of public funds to which I have just referred, and with my thanks for your services as Legislators. It is my confident hope that under the guidance of Divine Providence the legislation which you have enacted at this session will advance substantially the general welfare and security of the people in this Province.

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The Provincial Secretary then said:—

*Mr. Speaker and Gentlemen of the Legislative Assembly:—*

It is the will and pleasure of the Honourable the Lieutenant-Governor that this Legislative Assembly be prorogued and this Legislative Assembly is accordingly prorogued.





JOURNALS  
OF THE  
LEGISLATIVE ASSEMBLY  
OF THE PROVINCE OF ONTARIO  
1949

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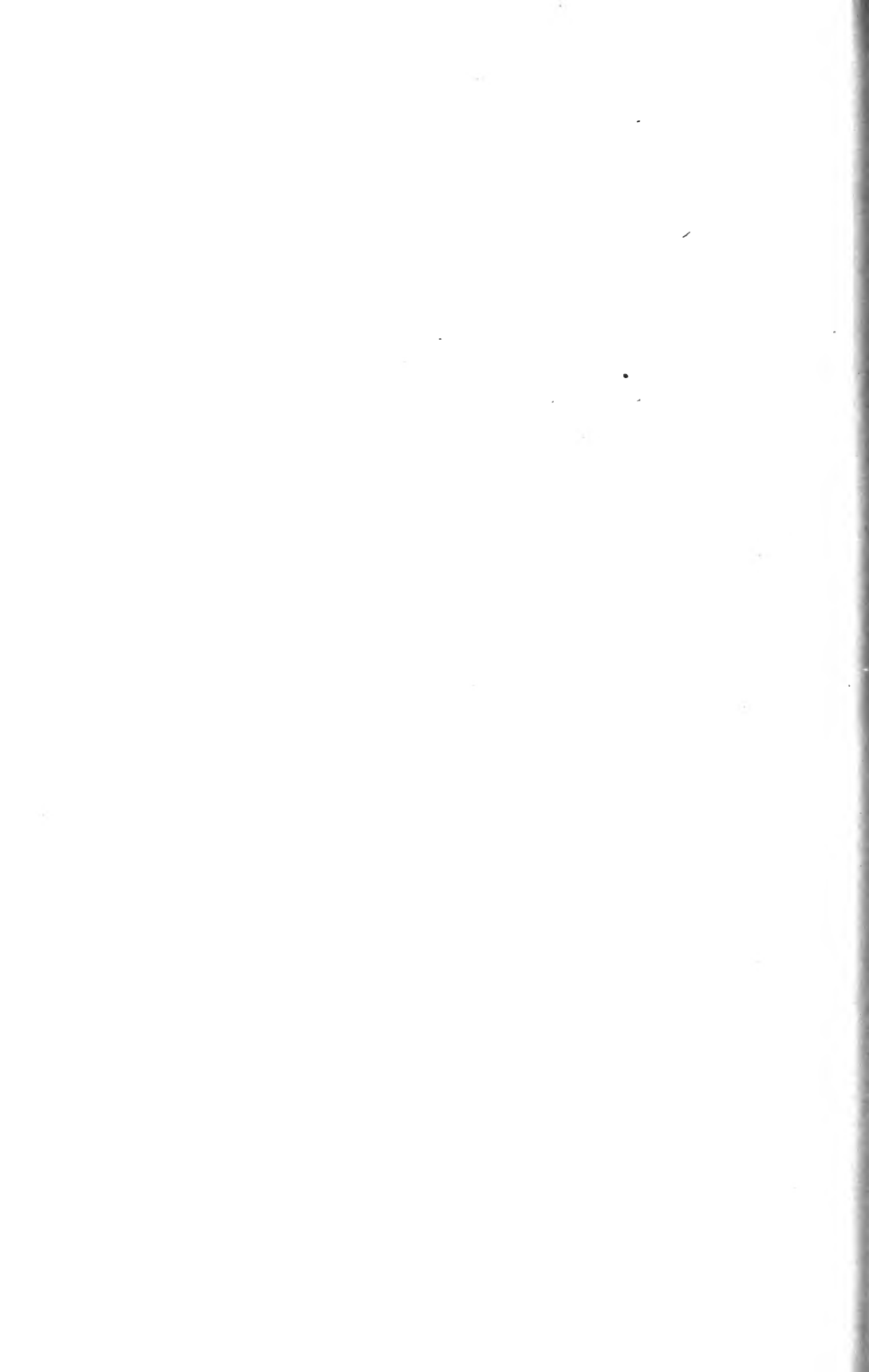
APPENDIX No. 1

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Report of the Standing Committee on  
Agriculture and Colonization

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Session of 1949



## Report of the Standing Committee on Agriculture and Colonization

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*To the Honourable the Legislative Assembly of the Province of Ontario:*

GENTLEMEN:

Your Standing Committee on Agriculture and Colonization held five meetings during the present Session of the Legislature with Mr. Robson in the chair.

At the meeting held on February 23rd, the following Bills were presented for consideration:

Bill (No. 59), An Act respecting the Control of the Warble Fly;

Bill (No. 61), An Act to amend the Farm Products Marketing Act, 1946,  
and

Bill (No. 62), An Act respecting Farm Products Containers.

The Committee recommended that the Bills be reported without amendment.

The Committee decided that an invitation to attend the next meeting be sent to the officers and members of the Ontario Milk Producers' Association.

On the recommendation of the Minister of Agriculture, Hon. Mr. Kennedy, the Committee decided to meet each Wednesday, at 10.30 a.m. for the remainder of the Session.

At the second meeting of the Committee held on Wednesday, March 2nd the meeting was called to order at 10.30 a.m.

Mr. A. W. Downer, M.P.P., introduced a deputation representing the Ontario Milk Producers' Association, Mr. Fenton McIntyre, the President, and Mr. Roy Lick, the Secretary, being included in the delegation.

Mr. McIntyre delivered a brief address being followed by Mr. Lick.

Mr. Lick reported that two features of the Milk Control Act are very highly valued by the Producers' Association, the first being the right to set up co-operative transportation for producers and the second, the provision made for marketing agencies. Mr. Lick recommended that upon the producers and distributors failing to arrive at an agreement, instead of appointing Boards of Arbitration, provision should be made for referring contentious matters to the Milk Control Board. Mr. Lick suggested that when distributors' licences are issued, definite territories be allotted.

Another suggestion by Mr. Lick was to the effect that provision should be made in the Milk Control Act that where a distributor is bonded, the money payable in the event of a case of bankruptcy, should be payable to the producer. He was also of the opinion that there should be a thirty day limit on arbitration cases. Respecting bonds Mr. Lick reported that in some cases bonds have not been large enough and in this respect producers were sometimes to blame.

Mr. Janes, M.P.P. suggested that the Producers' Association work out bonding arrangements for the entire Province.

Resuming his remarks Mr. Lick advised the Committee that distributors take advantage of there being no time limit on arbitrations and he also told the Committee that if the Milk Control Board took care of arbitration matters there would be two benefits namely, uniformity and speed. In reply to Mr. Parry, Mr. Lick advised that a vote of producers would be required to set up a marketing agency.

All of the foregoing recommendations were agreed to by the Committee with the exception of allocating to the Milk Control Board the final power to arbitrate. Mr. Kennedy opposed this plan. His recommendation that one Judge, the same jurist, be chairman of all arbitration disputes was approved by the Committee. It remained for the Department to secure a jurist.

The Committee approved the suggestion that letters of sympathy on account of illness be sent to Mr. C. D. Graham, Deputy Minister of Agriculture and Mr. Bert Hughes of Ilderton. The meeting adjourned to meet on Wednesday, March 9th.

The Committee met on March 9th pursuant to adjournment when a brief from the Ontario Cheese Producers' Association was handed to the Minister for consideration by the Department.

Mr. Ballantyne, President of the Cheese Producers' Association informed the Committee that the Canadian Government is the only channel through which the Association sold to Britain. The Cheese Industry had entered into a contract with Britain to supply fifty million pounds of cheese this year. In his opinion cheese-making is the balance wheel of the dairy industry and is controlled more than any other industry.

Mr. S. L. Sanderson, an officer of the Cheese Producers' Association advised the Committee that the Provincial subsidy had helped and is still helping to maintain a market for cheese. Production dropped 20 per cent last year and may go even lower this year.

Respecting the production of fancier types of cheese, higher costs prevented this being done.

Nathan Stewart, factory owner and Secretary-Treasurer of the Eastern Ontario Cheesemakers' Association addressed the meeting.

Frank Robinson, Ontario Cheese Instructor stated that fifty per cent of the cheese factories in Eastern Ontario were privately owned. The situation

in the East was so much different to the conditions prevailing in Western Ontario.

Hector Arnold, an executive, expressed his appreciation for the assistance given the cheese industry during the past eight years. He was of the opinion that oleo is a threat to the industry, much bigger than we imagine.

In reply to Mr. Dennison, M.P.P., Charles Heath, Secretary of the Cheese Producers' Association said that the chains had not yet taken over cheese plants. Respecting cheese contracts, Mr. Heath advised that cheesemen had insisted that the United Kingdom take Canadian eggs along with cheese otherwise they would not have entered into a contract.

Mr. Parry, M.P.P. asked if the Cheese Association would regulate the sale of oleo or would they prevent its importation, to which Mr. Heath replied that it was not fair to bring in a product that looks so much like butter but is not. He suggested that the oleo industry is going to make a large profit.

As to the disposition of surplus milk when consumption dropped, Mr. Heath said that a considerable quantity went to concentrated milk plants.

Respecting cheese contracts Mr. Heath was of the opinion that the producers may experience some difficulty in fulfilling their obligations.

Mr. Millard said that organized labour would like to start a campaign to buy cheese for Britons in Canada and have it delivered over there. He thought that organized labour felt that it was being rooked by oleo. Our people would be glad to buy butter if a better price balance could be worked out.

The Minister was of the opinion that Mr. Millard's cheese purchasing plan is a sound one and that eventually something could be worked out in order that it might become effective.

All officers of the Association praised the effectiveness of the provisions of The Milk Control Act, 1948.

The Minister advised the Committee that his Department is experimenting in the hope that something material may be accomplished along the lines of improving pastures. It was admitted that it is not possible to have the quality so much desired in milk if you have poor pasture land.

The Members congratulated the Minister on having the Agriculture Committee function so successfully this Session.

Mr. Hunt, M.P.P. urged the appointment of more Agricultural Representatives as in his opinion the present staff is overworked. He was very much of the opinion that in view of present conditions and the important part played by agriculture, appointment of additional assistance should be taken into consideration as soon as possible.

The Committee resumed its sittings on March 16th when Mr. Howard Morrison, President of the Ontario Federation of Agriculture presented a brief

submitted by his organization. Introduced to the Committee were Mrs. George Ridley, Charles McGinnis and Jack Shane, all officials of the Federation.

Mr. Morrison stressed that the whole economy of the country is based on agriculture. He asked that the Government consider the appointment of an independent Board of Governors for the Ontario Agricultural College. Included in his brief was a section which recommended that the Government spend more money on agriculture. This section was endorsed by Mr. Thomas, M.P.P. (Elgin) and Mr. Oliver, M.P.P. (Grey South).

Mr. Morrison dealing with oleo said the Association believed the yellow colour of butter is a trademark given by nature to a natural product. Financial interests engineered the oleo deal.

Mr. H. L. Craise, from Lincoln County suggested that the Government should consider giving bursaries to the Victorian Order of Nurses and by so doing placing these Nurses in the same category as other Nurses.

Mr. Dennison, M.P.P. suggested that a municipal doctor plan might be feasible.

Mr. Temple, M.P.P. (High Park) asked if the Federation had given any consideration to the distribution of milk as a public utility.

Mr. J. L. Easton in discussing the subject of milk distribution suggested that milk should be sold at all times by Standard measure.

Mr. Johnston, M.P.P. (Simcoe Centre) in discussing the oleo situation asked the Federation for its views on the sale of oleo. Mr. Morrison replying said that a great deal more profit is made from the butter substitute. Consequently the retailers would push the sale because of this. If butter were allowed a moisture content of from 20 to 35 per cent there would not be any shortage.

Mr. Dennison M.P.P. (St. David), urged soil conservation and said that an effort should be made to restore the fertility of the soil.

On Wednesday, March 23rd the Committee received a delegation from the Ontario Vegetable Growers Association. Mr. R. E. Anderson, President and Mr. W. Walker addressed the Committee. Mr. W. McNiven, Trent Branch and Mr. G. F. Perkin, Marketing Board also addressed the meeting.

Mr. Walker appreciated the work of marketing boards. He asked that the Government make the grading of tomatoes compulsory over the entire Province. At present the tomatoes are graded only east of Toronto.

The Association also felt that it may in the future have to ask for acreage control of all growers' products. The Association is desirous of bringing together both growers and processors with a view to discussing the acreage problem.

The Chairman (Mr. Robson) suggested that in his opinion growers could assist the marketing situation by advertising their own products more extensively.

Mr. McNiven, Chief Inspector, Fruit Branch, Department of Agriculture addressed the Committee on the subject of Tomato Grading in Eastern Ontario and said at the outset that at the request of the Industry, the Department of Agriculture made compulsory the selling of tomatoes on a grade basis in Eastern Ontario. The area as outlined and incorporated in the regulations of The Farm Products Grades and Sales Act, consists of the counties of Durham, Frontenac, Hastings, Lennox, Addington, Northumberland, Ontario, Peterborough, Prince Edward and Victoria. Practically the entire production of tomatoes in Eastern Ontario is produced in these counties.

During 1947 and '48 the grading of these tomatoes was carried on by Inspectors appointed by the Ontario Department of Agriculture under the supervision of the Fruit Branch. These are permanent Inspectors who are drafted for this work from their ordinary duties of fruit and vegetable inspectors to supervise tomato grading activities in the various parts of the Province.

Inspectors were stationed at 54 canning plants or receiving stations from Claremont in Ontario County to Bath in Lennox and Addington Counties. Some of these plants required two graders and thus the total number of inspectors used on this work was 60.

Since the duration of employment is relatively short, (6 to 8 weeks) it is very difficult to obtain men suitable for this work. The work requires great skill in interpreting colour which incidentally is the most important factor in the grading of tomatoes.

It is necessary therefore to hold schools for these Inspectors, as uniformity throughout the service is very essential. These schools last for a three-day period, during which time the Inspectors are taught how to make out the necessary reports and how best to carry on their work.

The cost of this inspection in Eastern Ontario last year amounted to 33.22c. per ton, with the Processors reimbursing the Department for the amount of money spent. This cost is relatively high, the reason being that there are a lot of small canning plants with small acreages and the cost per man is as much to inspect at these plants as it is at larger plants.

The Chairman called upon Mr. W. P. Watson, Live Stock Commissioner, Department of Agriculture to address the Committee on the prospects of the Live Stock situation. Mr. Watson addressing the Committee said that last year the sale of livestock and live stock products accounted for approximately 72 per cent of Ontario's farm income.

The four most important branches of production in order of financial returns were Dairy products, Hogs, Beef cattle, Poultry and Eggs. The outlook for continued high returns in 1949 is reasonably bright. The domestic market will absorb most of our dairy products, and Britain will purchase any surplus that is likely to occur provided it is marketed in the form of cheese, at a price equal to that paid last year.

In 1948 Ontario dairy cattle breeders sold pure bred live stock to approximately twenty countries on five continents, with United States buyers being

the largest purchasers. It may not be possible to make sales to some of these countries in 1949 because of currency difficulties, nevertheless there is reason for being hopeful that the United States will continue to demand large numbers of breeding stock from this Province.

Canada's 1949 bacon contract calls for the establishment of one hundred and sixty million pounds of bacon. During the first ten weeks of this year exports averaged slightly more than one million pounds per week. Unless hog marketings throughout the balance of the year are heavier than anticipated the total shipments will fall far short of the contract. In any event hog prices should not be lower than in 1948 since the price in the contracts for the two years is identical.

In August of 1948 the embargo on beef cattle shipments to the United States was removed, and since that date our beef producers have had access to what has been generally referred to as our natural market for surplus beef cattle. While prices over there have declined from their peak of 1948 they are still high and will likely remain so as long as employment remains at the high level.

Great Britain has contracted to purchase all the surplus eggs Canada is likely to produce this year, at satisfactory prices. Poultry meat may now be marketed in the United States so prices in this country will in all probability follow the general level prevailing south of the border.

Some concern has been expressed about Britain's ability to pay for food stuffs. That problem has been solved by virtue of funds made available under Marshall aid. Unless production of major products in the United States increases to the point where they are declared surplus, thereby limiting Marshall aid purchases to that country, Canadians can look forward to a continuation of United States dollars received in payment for essential goods shipped to Great Britain and Western Europe.

Mr. G. F. Perkin, Chairman, The Farm Products Marketing Board, Ontario Department of Agriculture spoke briefly on the work of The Farm Products Marketing Act and the operation of the marketing schemes approved to date under that Act.

Presently there are thirteen marketing schemes in force covering 22 crops, namely: asparagus; dry beans; berries (strawberries and raspberries); cheddar cheese; peaches; pears; plums and cherries; grapes; seed-corn; sugar-beets; canning vegetables (seven crops); cream; hogs; new potatoes.

Each of the schemes is administered by a local board, elected by the producers. All orders and directions of the local boards are subject to the approval of The Farm Products Marketing Board.

Producers now have a direct voice in marketing their own products. They have power to negotiate and fix agreements respecting minimum prices for graded and ungraded farm products, price differentials between grades, premiums, discounts, handling, storage and selling charges, forms of contract and conditions of sale for all products regulated under marketing schemes.



Licence fees or service charges are levied on each regulated product to provide the funds necessary to defray the expenses of any growers' local board for the proper carrying out of any scheme. The fees are deducted from the producers' returns by the licensed buyers or licensed processors and are paid by those buyers or processors to the growers' local boards. The money so collected is producers' money and is used as the elected representatives of the producers may deem fit and proper to improve the marketing of the regulated product in question. Marketing schemes for the sole purpose of raising funds cannot be approved under the Act. Annual reports and audited financial statements of all local boards are required by the Ontario Farm Products Marketing Board.

The marketing schemes in force, with the date each came into effect, are as follows:

- The Ontario Cheese Producers' Marketing Scheme, 1938.
- The Ontario Asparagus Growers' Marketing Scheme, 1938.
- The Ontario Pear, Plum and Cherry Growers' Marketing Scheme, 1938.
- The Ontario Peach Growers' Marketing Scheme, 1938.
- The Ontario Sugar Beet Growers' Marketing Scheme, 1942.
- The Ontario Seed-Corn Growers' Marketing Scheme, 1942.
- The Ontario Berry Growers' Marketing Scheme, 1944.
- The Ontario Bean Growers' Marketing Scheme, 1944.
- The Ontario Vegetable Growers' Marketing Scheme, 1946.
- The Ontario Hog Producers' Marketing Scheme, 1946.
- The Ontario Cream Producers' Marketing Scheme, 1947.
- The Ontario Grape Growers' Marketing Scheme, 1947.
- The South-Western Ontario New Potato Growers' Marketing Scheme, 1948.

Mr. Pryde, M.P.P. (Huron) moved that the Committee send a letter to the Prime Minister and Minister of Agriculture expressing the hope for his speedy recovery.

The Chairman expressed his thanks to the Members of the Committee for their attendance in such large numbers at all the meetings and for the wide interest shown in the discussion of the many matters produced for the attention of, and consideration by the Committee.

Committee Room,  
Wednesday, March 30th, 1949.

ROSCOE ROBSON,  
*Chairman.*



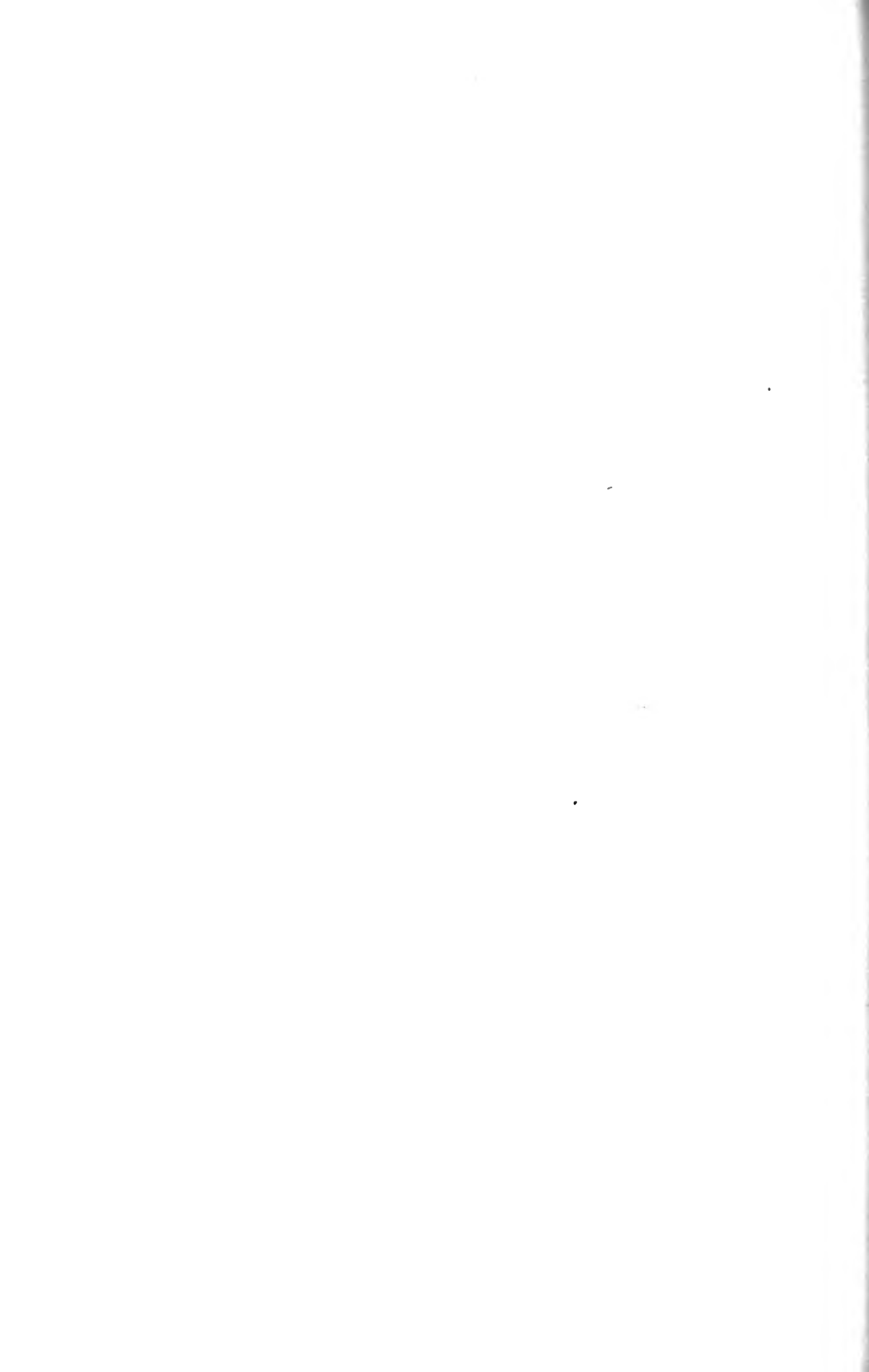
## APPENDIX No. 2

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Report and Minutes of the Meetings of the  
Standing Committee on Fish and Game

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Session of 1949



## Report of the Standing Committee on Fish and Game

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SESSION OF 1949

*To the Honourable the Legislative Assembly of the Province of Ontario:*

GENTLEMEN:

Your Standing Committee on Fish and Game begs leave to present the following as its Report:

The Committee met four times during the Session with Mr. Janes in the chair.

Representatives of Sportsmen's and Outfitters Associations were heard by the Committee. The Associations submitted 191 recommendations, the Lands and Forests Department presenting 16 recommendations.

The Committee made the following recommendations:

1. That a two year closed season on moose hunting be instituted with the Department reporting on the situation in one year's time.
2. That the deer hunting season of the Parry Sound District, south of the French River, be shortened and the limit of the hunting period to be permitted be left to the discretion of the Department.
3. That no change be made in the deer hunting regulations in Northern Ontario.
4. That the Department adopt the Northwest Territories regulations respecting hunting of Game from aircraft.
5. That hunting of wolves by aircraft be permitted under an amendment to be brought down on the Predatory Control Act.
6. That the Black Bass season for Lake Erie, Niagara River and Lake St. Clair open on July 1 to conform with the general Black Bass season.
7. That a bag of 15 Speckled Trout be permitted, that the weight limit be eliminated and the present length standards maintained.

All of which is respectfully submitted.

Committee Room,  
Wednesday, March 30th, 1949.

C. E. JANES,  
*Chairman.*

## Minutes of the Meetings of the Standing Committee on Fish and Game

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### FIRST MEETING

An organization and business meeting of the Committee on Fish and Game was held on Tuesday, March 15, at 10 o'clock in the forenoon with the following members in attendance: Messrs. Baxter, Cathcart, Cox, Downer, Ellis, Gemmell, Grummett, Hall, Houck, Janes, Johnston (Parry Sound), Kelley, Leavens, Mackenzie, McMillan, Sandercock, Scott, (Peterborough) Walker, White and Wismer.

The Clerk of the Legislative Assembly called for nominations for chairman for the current Session. Mr. C. E. Janes being the only nominee was declared elected.

Mr. Janes stated that to clarify the business of the Committee the opening Session would be confined to receiving representations from representatives of fishing organizations respecting fishing regulations.

Written briefs were presented by the following (see attached):—

Ken Hanson, Nestor Falls, Ontario, on behalf of the Northern Ontario Outfitters' Association;

J. G. Rowe, on behalf of the Cornwall Game and Fish Protective Association;

Viv. Sutton, for the Ontario Federation of Anglers and Hunters.

Verbal representations were made by the following:

W. E. Smith, Dundas, Ont.; George Bishop, Vice-President, Northern Outfitters' Association; J. F. Wilson, Massey, Ont.; Len Hughes, North Bay; Bert Golding, Tobermory, Lake Huron and Georgian Bay Commercial Fishermen's Association; Ernie Calvert, Northern Ontario Outfitters' Association; Don Thomas, Middlesex County Fish and Game Association; W. P. Shields, Schumacher, Ont.; Pete McGillen, Peterboro Fish and Game Association; Harold Elder, French and Pickerel River Resort Owner's Association; C. E. Rogers, President, Temagami Association.

The meeting adjourned at 1.15 p.m. to meet the following day.

Briefs presented at First Meeting:—

RESOLUTIONS PASSED AT THE ANNUAL CONVENTION OF THE  
NORTHERN ONTARIO OUTFITTERS' ASSOCIATION HELD AT  
FORT WILLIAM, ONTARIO, JANUARY 31ST TO  
FEBRUARY 3RD, 1949, AND PRESENTED TO THE  
COMMITTEE BY KEN HANSON OF  
NESTOR FALLS, ONTARIO

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FISH

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1. That from the Kenora-Rainy River District, and as far South as, and including, Parry Sound District the closing of the muskie season for angling be extended from October 1st to October 15th.
2. That in the Kenora-Rainy River District there be no closed season for the taking of lake trout by angling.
3. That a shipping coupon for each species of fish be attached to each non-resident fishing license.
4. That the open season for bass be left as at present, namely—July 1st to October 15th.
5. That a fish hatchery and rearing pond for muskies and other game fish be established at or in the vicinity of Nestor Falls, to ensure adequate restocking of district lakes.
6. That in lakes where the game fish are suspected to be suffering from an excess of coarse fish the Department take steps to attain a balance more favourable to the game fish.
7. That where lumber operations are plugging waterways with logs, seriously hampering an outfitters business, the Lands and Forests Department institute immediately remedial control measures.
8. That commercial fishing be not allowed in the following lakes: Dryden District; Indian Lake, north of Osoquan.
9. That the Department investigate pollution conditions from Steep Rock Mines that are seriously affecting the fish life of adjacent lakes.
10. That the Department of Lands and Forests, through the Department of Education, establish in schools a course of instruction in fish and wild-life conservation.

11. That the Department of Lands and Forests be commended on the fine quality and size of the fish they provide for re-stocking purposes. (We believe that the larger fish have a much greater chance of survival than have smaller fish.)

March 15th, 1949.

*Game Overseers for Cornwall and District*

Whereas our game overseer is stationed at Morrisburg, Ontario, which is some 28 or 30 miles west of Cornwall.

Whereas we of the Cornwall Fish & Game Protective Association have always felt we needed more game enforcement officers for our game laws.

Whereas a great many of these laws are being broken, both east and west of Cornwall just for lack of enough game enforcement officers.

Whereas our deer population is being slaughtered for same reason as above.

Be it resolved that we have at least one more and preferably two more game overseers permanently appointed for our district.

March 15th, 1949.

*Commercial Ice Fishing  
in St. Lawrence River Between Cornwall and Quebec Border*

Whereas it has been the practice for many years to issue Commercial Licenses for fishing and through this type of fishing we are now rapidly losing our good summer fishing.

Whereas we have known that as many as fifteen different people make use of the same single Commercial License for the sale of perch, pickerel, pike, etc., on our local market and if it is out of season fish they are sold to private customers who do not care.

Whereas we, The Cornwall Fish & Game Protective Association, are not opposed to people ice fishing (IF PROPERLY SUPERVISED), but are *definitely opposed* to Commercial Ice Fishing of above district in any form whatsoever, and we feel that this type of production fishing is hurting the chances of summer resident and tourist fishermen to acquire or even nearly acquire their normal limit of legal catches, thus hurting the tourist trade in cities and towns bordering this District.

Therefore be it resolved that all Commercial Ice Fishing be eliminated entirely and no licenses granted whatsoever.

And be it further resolved that anyone found selling perch, pickerel, etc., during the period of the St. Lawrence River freeze-up in this District, that they be liable to prosecution.



## THE ONTARIO FEDERATION OF ANGLERS &amp; HUNTERS

## RESOLUTIONS PERTAINING TO FISH

From The Resolution Committee of  
The Ontario Federation  
of Anglers & Hunters

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1. That the limit on Lake Trout be set five per day or not over 50 lb. whichever is reached first.
2. That the taking of Lake Trout by any means be prohibited during the Spawning season in all waters.
3. That Game Wardens salaries and allowances be raised at least to a level comparable with the Provincial Police and that a sufficient staff be maintained to cover all border crossing points 24 hours per day at least during open seasons.
4. That the Department of Lands and Forests urge the Provincial Legislature of the Province of Ontario to pass such Legislature rules and regulations governing the hiring, renting and identification of all boats as may best safeguard the lives of the users thereof, and as best provide for inspection and licensing of all boats for hire as may prohibit the use of leaky, unsuitable and unseaworthy craft.
5. That the opening season for Black Bass in the Great Lakes be July 1st.
6. Resolved that the Department of Lands and Forests be requested to make it illegal for any person to carry, use or have in his or her possession a spear in Lake Simcoe or Couchiching districts where these spears have been greatly misused.
7. That minnow traps used under authority of Section 3 (b) should be plainly marked with the owner's name.
8. That the coupons on family fishing licenses be drastically reduced.
9. This Federation approves of the Department's Policy of building more rearing ponds to enable them to distribute more fish of legal size.
10. That this Federation is in favour of imposing much heavier penalties than now exist for any infraction of the Fish and Game Laws of Ontario.
11. Whereas for the last several years our Federation has requested and petitioned the Ontario Government to take some action to prevent the pollution of the rivers and lakes in our Province and whereas the Ontario Government has taken little or no action to remedy this situation.

Be it resolved that this Federation strongly condemns the Government for their lack of interest in cleaning up the pollution of our rivers and lakes and insists that some positive action be taken by the Ontario Government, immediately.

12. Lands along good trout streams near centres of population should be set aside as public fishing grounds and if necessary such grounds should be purchased from private owners. Portions of the shores of lakes affording good fishing should likewise be preserved for the public. This programme can be carried out at a lower cost during the next few years than when population increases force land values up.
13. Resolved: (a) That the Government proceed at once to finish the fish ladder installation already begun at Wasdell Falls at the discharge of Lake Couchiching.  
  
(b) That as a test installation at power dams, the Government install fish ladders at the Hydro dams on the Matagami River.
14. Resolved that the Department of Lands and Forests be requested to pass specific legislation prohibiting the use of a device known as "sniggers" or "snaggers" for the taking of fish.
15. Whereas the present creel limit of twenty Speckled Trout per day is more than is required by the angler to meet his personal needs; and whereas very few anglers carry a weigh scale to weigh their catch, therefore be it resolved that the bag limit on Speckled Trout be reduced to ten fish per day, and that the weight limit be eliminated.

RESOLUTIONS PRESENTED AND APPROVED BY THEIR  
RESPECTIVE ZONES AND OF LOCAL INTEREST

*Lake Simcoe and District Zone*

Resolved that the Department of Lands and Forests be requested to investigate possible pollution as a result of a new dye plant now being erected at Coboconk; and also the Visking Corporation Chicago plant being erected at Lindsay, and Ajax.

*Huron and Erie Zone*

Be it resolved that permission to dip-net in Hamilton Bay, including outlets from Black Creek and Hendries Creek, be discontinued.

Be it resolved that members of the Hamilton Harbour Commission Police Patrol be empowered to enforce game laws in Hamilton Bay.

*Algonquin Zone*

That the Rainbow Trout season be changed to, namely, June 1st to October 15th, both dates inclusive on St. Mary's River.

## SECOND MEETING

The second meeting of the Fish and Game Committee was held on Wednesday, March 16th, at 10 o'clock in the forenoon to consider representations from various organizations in respect to game regulations.

The following members were present: Messrs. Allen, Baxter, Cathcart, Cox, Dennison, Easton, Ellis, Fullerton, Gemmell, Grummett, Harvey (Nipissing), Janes, Johnston (Simcoe-Centre), Leavens, Mackenzie, Martin, McEwing, Newman, Salsberg, Sandercock, Scott (Peterborough), Stewart, Taylor, Villeneuve, Walker and White. C. E. Janes was in the Chair.

Written briefs were presented by the following (see attached):—

W. S. Gemmell on behalf of the New Ontario Trappers Association. Ken Hanson, Nestor Falls, Ontario, on behalf of the Northern Outfitters' Association. M. Wallace, on behalf of the Hunting and Field Archers of Ontario. Viv Sutton on behalf of the Ontario Federation of Anglers and Hunters; Chas. Hoover, on behalf of Regulated Game Preservation Areas of Markham, Pickering, Whitchurch, Whitby and Vaughan Townships.

Verbal representations were made by the following:

Len Hughes, Northern Outfitters' Association; C. A. Thomson, Federation of Ontario Naturalists; Harold Elder, French and Pickering River Resorts Association; Ernie Calvert, Northern Outfitters' Association; Keith Dennis, Port Arthur; and W. Shields, Porcupine Rod and Gun Club.

R. Peterson of the Royal Ontario Museum gave a report on the work of the Moose Research Project as carried out to date.

The meeting adjourned at 1 p.m. to meet again at the call of the chair.

Briefs presented at Second Meeting:—

## NEW ONTARIO TRAPPERS ASSOCIATION RESOLUTIONS

Presented to the Committee by Mr. Gemmell, M.P.P. (Sudbury) —

The following resolutions and recommendations were moved and passed at the Second Annual Convention of the New Ontario Trappers Association held in Sudbury, Ontario, on January 26th, 27th and 28th, 1949, and are hereby presented in brief to the Legislature for consideration and approval:

1. That the Department reopen the cases of all old trappers who have held trapping licenses for many years and who have lost their licenses for violations of the game laws, and have a thorough investigation made of each case; and that these trappers be reinstated and their licenses returned to them if the wildlife supervisors feel that the circumstances warrant it.

2. That trappers be allowed to use snares in the fall, or as long as licenses are in effect, and that anyone running dogs in hunting do so at their own risk.
3. That instead of considering closing the moose season, the country be zoned with licenses issued for each zone limited according to the moose population of the zone, and that all non-resident moose hunters be required to have a competent, qualified guide in attendance; and also that the moose season be restricted to 15 days duration to commence at a later date than is at present in effect.
4. That a \$50.00 bounty be paid on wolves and that the same bounty apply on the pups as well as on the adult wolves.
5. That registered trappers be paid a \$25.00 bounty on bear, as according to evidence witnessed, we consider them the most destructive creature in the bush and many trappers are greatly in fear of them.
6. That in order to hold his license a trapper be required to spend at least two months on his ground during the open season, but that the exact time be not stipulated but left to the discretion of the trapper to choose the most suitable period.
7. That before being granted a license the trapper must be able to pass an examination which will satisfy the game overseer that he has a good knowledge of the proper methods of conservation and that he has enough knowledge of the handling of furs to guard against the placing of inferior merchandise on the market.
8. That the otter season be extended to the end of the muskrat season.
9. That the Department have licenses available by September 1st and that the trapper be allowed until the opening of the beaver season to put in his quota of beaver houses.

RESOLUTIONS PASSED AT THE ANNUAL CONVENTION OF THE NORTHERN  
ONTARIO OUTFITTERS' ASSOCIATION HELD AT FORT WILLIAM,  
ONTARIO, JANUARY 31ST TO FEBRUARY 3RD, 1949, AND  
PRESENTED TO THE COMMITTEE BY MR. KEN  
HANSON OF NESTOR FALLS, ONTARIO

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G A M E

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1. That the Department, as a conservation measure, and under a rigid rationing system, be asked to enact legislation requiring, where feasible, all non-resident hunters be attached to licensed outfitters, and that they hire only guides who are so attached.

2. That, where feasible, and under a rationing system, the Department, restrict the sale of non-resident hunting licenses to licensed outfitters.
3. That an improved system of training and overseeing guides be instituted.
4. That before a non-resident hunter be granted a hunting license, he be required to give the name of the licensed outfitter under whose supervision he will hunt.
5. That for more accurate Government records it be compulsory that at the close of the hunting season, and before his annual license can be renewed, licensed outfitters be required to submit an accurate report of hunters handled and game taken.
6. That in the Kenora-Rainy River district, the use of dogs for big game hunting be prohibited.
7. That the hunting of wolves by airplane be permitted during December, January, February and March, and a license issued for this purpose.
- 7a. That the Department issue a non-resident wolf hunting license, valid from November 1st to June 15th at a fee of \$5.25.
8. That the wolf bounty for both pups and adults be increased.
9. That the Department be asked to investigate, and if found practical, to employ the wolf control methods used with success by the U.S. Government. (This means zoning, with trained predator controllers employed.)
10. That the Department of Highways, through the Department of Lands and Forests, be requested to allow each licensed camp operator to erect one sign, tax free, at the entrance or approach of his camp.
11. That the Department be petitioned to take required steps to permit Sunday hunting in unorganized territory.
12. That the use of planes be restricted to transportation uses only, and not as conveyances from which to hunt or fish.
13. That all non-resident hunting and fishing parties arriving in their own planes, or in planes operated for their private use, be under the supervision of a licensed outfitter.
14. That the open season for ducks be from September 25th to November 10th.
15. That all private hunting camps be required to obtain a permit under a rationing system, and that an elected Captain in such camps be made responsible, as a Deputy, for the observance of the Fish and Game regulations.
16. That seals be placed on deer immediately after they are shot, the same as moose, and that the seals be attached to the *heads* of moose and deer instead of to their legs.

17. That the open season for deer hunting in the Kenora-Rainy River District remain as at present, namely October 15th to November 25th.
18. That in the Kenora District the bear hunting season be closed for five days immediately preceding the deer season.
19. That the closed season on moose in the Kenora-Rainy River District, south of the Canadian National Railway transcontinental line, remain in effect.
20. That instead of declaring an unnecessary Province-wide closed season on moose, the Province be zoned, with a limited number of licenses, according to its moose population, issued for each zone.
21. That all hunting within a half-mile of Provincial highways be prohibited, and notices posted to this effect.

RESOLUTION PRESENTED BY MR. WALLACE OF  
THE HUNTING & FIELD ARCHERS OF ONTARIO

The Hunting and Field Archers of Ontario respectfully suggest that the following provisions should be incorporated in the Ontario Game Laws:—

1. Provision of an open season of two weeks for the taking of deer with bow and arrow only, this open season to immediately precede the open season for taking of deer with guns.
2. Provision of a resident fee of \$2.00 and a non-resident fee of \$5.00 for hunting deer with bow and arrow only, during this open season.
3. Provision of an open season for the taking of ruffed grouse with bow and arrow only during the above season open for deer.
4. Provision of the usual \$1.00 fee for such small game hunting, the same to include rabbits, hares, etc.
5. Provision of the same bag limits as for the usual open season for gun hunting.
6. Provision of full fees in addition to bow fees for hunters who wish to hunt during the regular hunting season, such hunting to be allowed only if the bag limit has not been obtained during the earlier season.
7. Provision of a special archery hunting preserve, failing the provision of a general open season.

## THE ONTARIO FEDERATION OF ANGLERS &amp; HUNTERS

## RESOLUTIONS PERTAINING TO GAME

Presented by Mr. Viv Sutton

1. That there be immediately put into effect a closed season of at least two years duration on moose. The aforesaid two years to be spent in a General Moose Survey, Predator relationship study, Browse survey in heavily populated areas. Also that much increased protection be provided in the form of more game wardens and increased bounty on wolves and if possible the setting up of a Predator Control Board.
2. That so-called "homesteading" of crown woodlands be not permitted unless and until competent previous examination has shown that the land is suitable for successful farming in proper social and economic communities. The establishment of more rural slums should not be permitted, through the process of turning good public forest lands into sub-marginal agricultural lands. Such areas are much more useful to the Province for the scientific production of forest and wildlife crops.
3. As an aid to preventing the too-rapid depletion of our wildlife resources, government advertising should emphasize scenic beauty and healthful recreation rather than merely the destruction of wildlife.
4. We urge the Ontario Government to secure the full co-operation of the Dominion Department of Transport in insisting that all aircraft coming into and leaving Canada report at points of entry as required by law; and that the use of aircraft as an instrument in the actual hunting of game or taking of fish be prohibited, and that their use be limited to *transportation only* to and from a declared base.

We wish to express our appreciation of the effective control of the use of aircraft in the James Bay area, and urge a similarly effective patrol of our Northern Ontario areas to lessen the wide-spread poaching of fish, fur and game.

5. That no Tourist Outfitter's License be granted to an alien and that all aliens applying for campsites be informed to the above effect.
6. That a Game Preserve of up to one thousand square miles area be established north of Lake Wanapitei, based on a suggested line from Tyrone to MacBeth Townships, and extending northward to a line from Adams to Black Townships with adequate forestry and wildlife control.
7. Experience with Algonquin Park has shown the people of Ontario the immense value of properly controlled wildlife sanctuaries as a means for re-establishing the native game and fur in an area formerly depleted, both in the park and its surroundings. Widespread poaching in the Abitibi, Mississauga and Chapleau Game Preserves has limited their effectiveness in this regard. For this reason, we urge that more Game Wardens be appointed in this area, and two at least at Thessalon, and that effective airplane patrols be instituted.

8. That the number of biologists be increased as rapidly as possible for more extended investigations into wildlife and fish conditions, and that research be extended as soon as possible.
9. That, in the interests of safety, and for the protection of human life, certain minimum physical requirements, notably eyesight, be established, prior to issuing of gun or hunting licenses; and that the bearing of firearms while under the influence of intoxicants be subject to the same penalties as the operation of motor vehicles while in the same condition.
10. That a bounty be placed on Bear, in unorganized as well as in organized territories as a means for protecting moose.
11. That the killing of any Deer under the age of one year be prohibited.
12. That alien resident deer-hunters be accompanied by a Licensed Guide on the same basis as moose-hunters.
13. Resolved that the Department of Lands and Forests be requested to study the entire picture and bring in legislation to regulate and control deer hunting so that the present chaotic and dangerous conditions now existing will be eliminated. It is respectfully submitted that the following conditions and suggestions be considered:

It is proposed to divide into sections, districts or townships, as may be deemed wise, the heavier hunted sections of the Province. Deer licenses could then be issued by each unit and a quota of permits allowed each year depending on conditions as known to the Department. The number of Deer Camps operating in each unit could be supervised as to number of hunters permitted and the location of each camp would then be known to the Department. No new hunt camps should be allowed to locate close to an established camp already operating. The number of guests or members of any camp should not exceed 18 at any time.

A permit should be obtained from the Conservation Officer in the district before a camp can be established in any areas. A deer hunting license should be valid only for the district in which it is issued and a better supervision to have it cancelled as soon as the licensee has been successful. Licensed guides and camp helpers should not be permitted to carry firearms while working for guest hunters.

A Buck law on alternate years, or at the discretion of the Department, must be established in some depleted areas at once. The deer herd in the Parry Sound District is at an all time low and must have some immediate assistance.

Wolves are becoming more prevalent each year in the best deer areas. The wolf bounty should be increased and better supervision given to its payment.

The travelling expense account of Conservation Officers should be greatly increased during the hunting season to enable them to properly cover the deer hunting areas.



The Checking Station at Gravenhurst should be maintained for the entire season; not for just the first weekend as was the case in 1948. Valuable data could be recorded from the returning hunters as they pass inspection. A survey of winter deer yard concentrations should determine an accurate estimate of the deer herds in any given area.

14. That guides, when acting as such, be prohibited from carrying firearms.
15. That an applicant for a Farmer's Deer license must sign an affidavit, attached to the license, that he is actually living on the farm and tilling the soil in the hunted area.
16. Whereas at the present time no button or badge is issued with all Provincial hunting licenses (deer included) by the Department; and whereas it is deemed in the best interest of conservation, the retaining of the good will of the farmers, the protection of good honest sportsmen, and the respect of the Game laws; and whereas the necessity of having such a button worn so that it may be seen will increase the sale of gun licenses to such an extent that the revenue will easily offset the expenditure by the Department to purchase these buttons. Be it resolved that this Association recommends that a large button be issued with every Provincial hunting license.
17. That the laws relating to guides' licenses be rigidly enforced, and that these licenses should not be issued without the approval of the Local Fish and Game Overseer.
18. That consideration of our Game should be made before cutting operation plans are approved.
19. That the use of the ferret be prohibited until such time as the cotton tail rabbit becomes a pest.
20. Whereas the character and sporting ethics of applicants for vermin permits may not be fully known by the head office of the Department of Lands and Forests; and, whereas some recipients of licenses issued by them have been found to be misusing this privilege; Therefore be it resolved that Vermin Permits shall not be issued except by the Game Overseer in the locality where the applicant resides, but in no event will a Vermin Permit be issued without the written consent of the Local Game Overseer.
21. Whereas the lack of knowledge of the game laws has caused unnecessary violations; and, Whereas many novice hunters and fishermen are unaware of the laws; Therefore be it resolved that it shall be mandatory for an issuer of Licenses to furnish to the purchaser of a license, at the time the license is purchased, a summary of the Game Laws of the latest issue.
22. Whereas the issuing and selling of hunting or gun licenses many weeks prior to the opening of the Hunting Seasons, tends to leave the impression with the hunter that he can legally carry a gun in the field; Therefore be it resolved that the Hunting Licenses will not be placed on sale sooner than fourteen days prior to the opening day of the Hunting Season.

23. Whereas the practise of marketing and selling of Jack Rabbits is gradually depleting this game; and, Whereas this commercial hunting if continued will soon make the sport hunting of Jack Rabbits impossible; Therefore be it resolved that the sale of Jack Rabbits be prohibited and a bag limit of six Jack Rabbits per day be added to the regulations.
24. That Alien Hunting Licenses confer only the same privileges and open seasons as are accorded to residents.

RESOLUTIONS PRESENTED AND APPROVED BY  
THEIR RESPECTIVE ZONES AND OF LOCAL INTEREST

*Simcoe District Zone*

1. Resolved that the Department of Lands and Forests be requested to make it unlawful to use snares of any type in the County of Simcoe, except on registered trap lines or by special permission from the District Forest Ranger.

2. Resolved that the Department of Lands and Forests be requested, in cases where the Department asks for and has the permission of a County Council or Township Council, to hold in that County or Township a controlled and special season to hunt deer. That the Department consult with the Council as to dates and regulations governing the hunt in sufficient time to advertise the same in the papers circulating in that area to properly warn and inform the population of the proposed open season.

*Ottawa-St. Lawrence Zone*

1. Resolved that it would be advisable to move the southern boundary of the central duck hunting zone in Eastern Ontario far enough North to take the boundary line North of the Rideau and Mississauga watershed. At present the boundary line runs along the high water zone of the Rideau which at times is rather hard to define. Further, this boundary line cuts through a territory in which a lot of duck hunting is done, with the result that the waters just North of the line are hunted very hard during the week prior to the opening of the season in the Southern zone. We think it would be wise to have the seasons open at the same time in all the Rideau and Mississauga watershed.

2. Whereas a few years ago the District of Stormont had a terrific ice storm and due to this storm, killed off nearly all our partridge, whereas each year since that storm we have had an open season on partridge thus not giving them a fair chance to multiply as they should, be it resolved that a closed season for at least five years be recommended for the County of Stormont.

3. Whereas in the Dominion of Canada six (6) weeks is allowed each fall for duck shooting and Whereas in many provinces of the Dominion Sunday shooting is permitted, which is not the case in Ontario, now Therefore be it resolved that the duck season in Ontario be lengthened to compensate for the loss of one day per week, Sunday, in future seasons.

4. That this Zone goes on record as recommending that the season for ducks be not opened before the 15th of October and not closed before the end of November in Southern Ontario and Algonquin Zone.

*Huron and Erie Zone*

1. Black and Grey Squirrels in this section have almost reached the point of extinction and some measure of protection is badly needed if they are to survive; We therefore ask that a two year closed season be imposed on Black and Grey Squirrels in Bruce County.

2. Whereas the regulation restricting the opening hours of shooting during Pheasant Season to 8 a.m. is not adhered to by 90 per cent of the hunters; and, Whereas this Association feels it is not possible for the Department to enforce this regulation; Be it resolved that this Association recommends that the shooting hours for Pheasant be from sunrise to sunset on the legal days.

3. Whereas the Cotton Tail Rabbit and the Jack Rabbit population in Waterloo County has dropped to an all time low; and, Whereas some measures must be taken to protect these species; Therefore be it resolved that a closed season on Cotton Tail Rabbits and Jack Rabbits be imposed in Waterloo County from the 1st day of March to 30th day of September, inclusive.

4. That Norfolk County be added to the list of Counties appearing in Sub Section 6, Section 28 of The Game and Fisheries Act, and that the sale of Cotton Tail Rabbits be prohibited in Norfolk County, as provided in Section 41 of this Act.

5. We strongly urge that the alien-Non-resident small game license be not valid in Haldimand County.

6. Whereas the deer population in this County would seem to warrant open season; Be it resolved that a suitable open season for deer will be granted in Grey and Bruce Counties under a Provincial Deer License.

7. Whereas rabbit drives in this district in recent years have been made up of as many as fifty men and resulted in a slaughter of the rabbits; Be it resolved that rabbit drives in the Huron and Erie District be limited to a maximum of six (6) men to eliminate the terrific slaughter of the diminishing rabbit.

8. Whereas the rabbits are still carrying their young; and, Whereas the natural cover at this time of year makes the hunting of rabbits practically impossible; and, Whereas considerable damage is done to growing crops; Therefore be it resolved that rabbits, either Cotton-tail or Jacks, may not be hunted or taken in Essex County between the 31st day of January and the opening of the Pheasant Season. In the event that there is no Pheasant Season in any one year or years in Essex County, then the closed season shall be from January 31st until November 1st that year or years.

9. Whereas the present wording on the Hunting or Gun License is conflicting with the legal hunting season in Essex and Kent Counties; Therefore be it resolved that the wording on the face of a Gun License, which reads as follows: "This license expires the last day of February" shall be changed to read as follows: "This license expires on the last day of February, except in the Counties of Essex and Kent, where this license expires on the 31st day of January."

10. That the present regulations which prohibit the taking of rabbits by Alien Non-Residents of Ontario be continued in force in Essex and Kent Counties.

Mr. Charles Hoover addressed the Committee and presented the following brief:

We appear here today in the interest of an improvement in the regulations of The Game and Fisheries Act as it affects Regulated Game Preserve Areas.

We have two resolutions to present which were passed at a meeting of representatives from the Townships of Markham, Pickering, Whitchurch, Whitby and Vaughan. The other municipalities which have sanctioned the action by letter are, Townships of East Whitby, King and the County of Peel.

The resolutions are as follows:

1. Moved by Dr. F. H. VanNostrand; Seconded by E. Byer.

Whereas under The Game and Fisheries Act 1948, Section 10 (1) and (1a) hunting and the carrying of firearms and air guns is permitted under the authority of a Provincial gun license; and, Whereas this renders control of illegal hunting in regulated areas difficult.

Be it resolved that representation be made to the Minister of Lands and Forests to amend the said section of The Game and Fisheries Act to prohibit the carrying of firearms and air guns and the hunting of birds and animals in regulated township areas except under the authority of a township license, subject to the provisions of The Migratory Convention Act.

Carried.

2. Moved by Sid Pugh; Seconded by E. Bone.

Be it resolved that we request the Minister of Lands and Forests to make provision under Section 43 of The Game and Fisheries Act to make it illegal to carry any air gun, gun, rifle or other firearm unless it is encased or dismantled, between one half hour after sunset on Saturday and one half hour before sunrise on Monday next following, in regulated Township areas.

Carried.

The local authorities, under the present set up have no way to limit the number of non-resident hunters from coming into a given area, which in our opinion, defeats the purpose for which these areas were set up, and will have tendency, in districts adjacent to large centres, to an increasing number of owners posting their properties to prohibit hunting.

We also feel that the present method of the issuance of licenses provides the poacher with an excellent opportunity to obtain game we are trying to protect.

If a hunter is allowed to hunt fox in a regulated area without a Township license, and shoots rabbits without being apprehended by the Deputy Game Warden, it is an unfair deal to the law abiding rabbit hunter.

Law enforcement, as it relates to both of the resolutions presented, under the present methods of licensing and interpretation, demands extreme alertness on the part of those interested in conservation, and in some cases a lenient view of the Court has given little encouragement to continue their efforts to check the offender.

Respectfully submitted.

S. S. PUGH,  
GIBBS TOOL,  
CHAS. HOOVER,  
Ontario County.

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### THIRD MEETING

The third meeting of the Committee on Fish and Game was held on Thursday, March 24, 1949, at 10 o'clock in the forenoon.

The following Members were in attendance: Messrs. Baxter, Cox, Dempsey, Ellis, Foster, Fullerton, Gemmell, Hall, Harvey (Nipissing), Harvey (Sault Ste. Marie), Houck, Isley, Janes, Johnston (Parry Sound), Leavens, Mackenzie, Martin, Murdoch, Robinson, Sandercock, Scott (Peterborough), Stewart, Villeneuve, Walker and White. C. E. Janes was in the chair.

The Committee considered resolutions No. 33, 92, 93, 104, 132, 176 and 189 submitted to the Committee by various organizations dealing with moose.

It was moved by Mr. Mackenzie, seconded by Mr. White, that the Committee recommend to the Ontario Department of Lands and Forests that the Moose Hunting season be closed for one year to permit the Department to undertake a study and report back at the next Session.

In amendment, Mr. Leavens moved, seconded by Mr. Walker, that it be recommended to the Department a two-year closed season on Moose Hunting be instituted with the Department reporting on the situation in a year's time. The amendment carried by a vote of 11 to 7.

In a study of deer problems, the Committee reviewed resolutions No. 43, 45, 68, 88, 90, 133, 134, 135, 140, 141, 142, 144, 147, 148, 154, 158, 169, 175, 182, 183, 184 and 187 submitted by various organizations.

In a summary of the resolutions as presented by the Department set out in the agenda as A, B and C, Mr. Leavens moved and it was carried by the Members that (a) The Committee recommends to the Department that the Deer Hunting season of the Parry Sound district, south of the French River, be shortened and the limit of the hunting period to be permitted be left to the discretion of the Department.

Clause B of the Department recommendations was discussed but the Committee agreed no action would be taken.

On Clause C, the Committee recommended that the present regulations covering such areas be left as at present in force.

A motion by Mr. Robinson, seconded by Mr. Cox that the Committee recommend to the Department a closed season on deer in the immediate area around Fort William and Port Arthur was defeated.

It was moved by Mr. Fullerton, seconded by Mr. Harvey (Nipissing), that the Committee recommend no change in deer hunting regulations in Northern Ontario which was carried.

The Committee recommended no action on Resolutions No. 44 and 46, dealing with fishing in the St. Lawrence River.

The Committee took no direct action on Resolution 52 dealing with Vermin shooting permits expressing the view that if farmers and township councils were agreeable, it was alright to permit shooting of ground-hogs.

On resolutions No. 36, 85, 86, 124 and 164, dealing with hunting of game from aircraft, it was moved by Mr. Leavens and carried by the Committee recommending to the Department adoption of the Northwest Territories regulations covering such use of planes.

On resolutions No. 79 and 80, dealing with hunting of wolves by aircraft, it was recommended to the Department that such hunting be permitted under an amendment to be brought down on The Predatory Control Act.

Mr. Houck asked the Committee to consider clarification of regulations covering coon-hunters in the Province and a motion by Mr. Harvey (Sault Ste. Marie) was carried by the Members recommending that the Department study the problem and see what relief could be worked out.

On Resolution No. 72 the Members agreed to leave it with the Department after Mr. White reported it did not constitute a problem in Kenora District.

Resolution No. 48 was directed to the Department for its consideration and action.

Resolutions No. 2, 23 and 177, were considered and "No action" reported by the Committee.

On Resolutions 19 and 20, the Committee held such matters should be left to local jurisdictions rather than Departmental action.

The Meeting adjourned at 12.40 p.m. with a tentative date of Tuesday, March 29th set for the next meeting.

## FOURTH MEETING

The fourth meeting of the Fish and Game Committee was held on Tuesday March 29th, with Chairman C. E. Janes in the chair.

Members in attendance were: Messrs. Allen, Baxter, Cox, Foster, Gemmell, Hall, Harvey (Nipissing), Harvey (Sault Ste. Marie), Houck, Janes, Johnston (Parry Sound), Johnston (Simcoe-Centre), Mackenzie, Martin, Murdoch, McDonald, McMillan, Newman, Pringle, Pryde, Salsberg, Sandercock, Scott (Peterborough) and White.

The Committee resumed deliberations on resolutions advanced by various fish and game associations.

On resolutions 126 and 163 dealing with Black Bass, Mr. Houck (Niagara Falls), moved a recommendation to the Department that the season for Lake Erie, Niagara River and Lake St. Clair open on July 1st to conform with the general Black Bass season, which was carried.

Mr. White moved and it was carried by the Committee that no change be made in the present 10 inch minimum as the legal length of Bass catch.

No action was taken by the Committee on the suggestion of a 24 inch length as the legal minimum for Great Northern Pike.

On resolutions 3, 21 and 121 dealing with increased salaries for game overseers, increased staff and better enforcement of laws, Lands and Forests Minister Scott gave an outline of Departmental operations and plans for the future.

Mr. White asked to be placed on record as holding the view that the present salaries of game overseers were ridiculously low and should be at least \$150 per month with bonus extra.

The Committee took no action on the resolutions.

## SPECKLED TROUT

Resolutions 15, 158, 167 calling for weight elimination to be replaced by a bag limit of ten.

On a motion by Mr. White and carried by the Committee it was recommended the weight limit be eliminated, a bag of 15 fish per day be permitted, with the present length standards maintained.

## USE OF SPEARS AND SNAGS

Resolution No. 6.

On a motion by Mr. Mackenzie and carried by the Committee the Department was asked to recommend to Federal fish authorities the banning of possession of spears while angling in Lake Simcoe and Couchiching District waters except during the months of April and May. Department officials stated the problem of snagging was being looked into.

### DUCK HUNTING

Resolutions 59, 62, 87, 137 and 138.

On resolution 59, it was moved by Mr. White and carried by the Committee recommending the change to the Department as suggested subject to the Department being able to set the limits prescribed.

No action was taken on the others.

### HOURS OF SHOOTING

Resolution 64.

On a motion by Mr. Houck and carried by the Committee, it was decided to leave this problem to the Department to discuss with area associations.

Resolution No. 91.

On a motion by Mr. White the Committee ruled this out as being non-enforceable.

### ROD LICENSE FOR ANGLERS

Resolution 123.

This was ruled out by the Committee and no action taken.

### BOW AND ARROW HUNTING

Resolutions 95 and 101.

On a motion by Mr. White and carried by the Committee no action was reported on 95 seeking a special two-week hunting period prior to opening of regular deer season.

On resolution 101 it was the view of the Committee the archers should make their own provisions to secure private lands and then have the Department set the area aside for archery hunting.

### FERRETS

Resolution 51.

On a motion by Mr. Houck it was agreed by the Committee that the problem of use of ferrets in hunting cottontails should be left to the Department to decide.



PROTECTION OF HAWKS AND OWLS

Resolution 117.

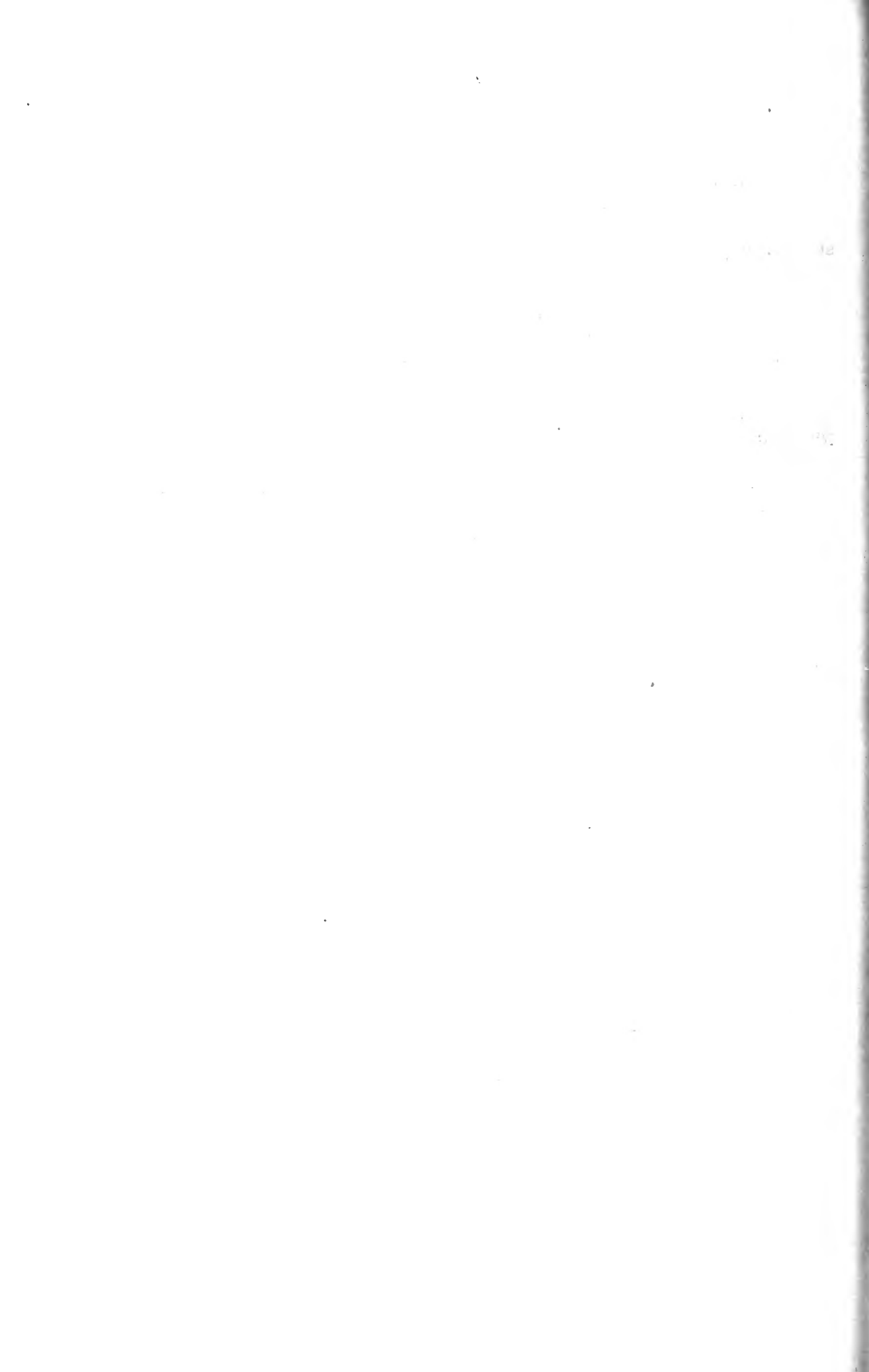
On a motion by Mr. Janes the Committee recommended the Department study this problem further.

SALE OF JACK RABBITS

Resolutions 55, 65, 66, 70 (7 and 8).

The Committee deferred action on these resolutions as not creating a major problem at this time.

On a motion by Mr. Houck, the Members expressed thanks to Mr. Janes for his work as Chairman of the meetings of the Committee.



# RESOLUTIONS

Submitted to

THE FISH AND GAME COMMITTEE

of the

ONTARIO LEGISLATURE

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March 15th, 16th and 24th,  
1949

RECOMMENDATIONS	BY WHOM	STATUS	COMMENTS
1. That the limit on Lake Trout be set at 5 per day or not over 50 lbs. which ever is reached first.	Ontario Federation of Anglers and Hunters.	See Recommendation 15.	
2. That the taking of Lake Trout by any means be prohibited during the spawning season in all waters.	Ontario Federation of Anglers and Hunters.	Under consideration. There are counter recommendations from several sources.	
3. That Game Wardens' salaries and allowances be raised at least to a level comparable with the Provincial Police and that a sufficient staff be maintained to cover all border crossing points 24 hours per day at least during open seasons.	Ontario Federation of Anglers and Hunters.		
4. That the Department of Lands and Forests urge the Provincial Legislature of the Province of Ontario to pass such Legislature rules and regulations governing the hiring, renting and identification of all boats as may best safeguard the lives of the users thereof, and as best provide for inspection and licensing of all boats for hire as may prohibit the use of leaky, unsuitable and unseaworthy craft.	Ontario Federation of Anglers and Hunters.	Authority of Province questionable. Not within the purview of the Department of Lands and Forests.	
5. That the opening season for Black Bass in the Great Lakes be July 1st.	Ontario Federation of Anglers and Hunters.	Under consideration.	

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| <p>6. Resolved that the Department of Lands and Forests be requested to make it illegal for any person to carry, use or have in his or her possession a spear in Lake Simcoe or Couchiching districts where these spears have been greatly misused.</p> | <p>Ontario Federation of Anglers and Hunters.</p> | <p>Will be studied.</p>  |
| <p>7. That minnow traps used under authority of Section 3 (b) should be plainly marked with the owner's name.</p>   | <p>Ontario Federation of Anglers and Hunters.</p> |  |
| <p>8. That the coupons on family fishing licenses be drastically reduced.</p>   | <p>Ontario Federation of Anglers and Hunters.</p> | <p>Meaning not clear. There are counter recommendations for increase in number of coupons. Family license allows export of two days' catch.</p>                  |
| <p>9. This Federation approves of the Department's policy of building more rearing ponds to enable them to distribute more fish of legal size.</p>  | <p>Ontario Federation of Anglers and Hunters.</p> | <p>Under consideration at the present time.</p>  |
| <p>10. That this Federation is in favour of imposing much heavier penalties than now exist for any infraction of the Fish and Game laws of Ontario.</p>   | <p>Ontario Federation of Anglers and Hunters.</p> | <p>Under consideration at present time. Fines under Fishery Regulations are established by the Federal Fisheries Act—up to \$1,000. Province has no control.</p> |

RECOMMENDATIONS	BY WHOM	STATUS	COMMENTS
<p>11. Whereas for the last several years our Federation has requested and petitioned the Ontario Government to take some action to prevent the pollution of the rivers and lakes in our Province; and</p> <p>Whereas the Ontario Government has taken little or no action to remedy this situation;</p> <p>Be it resolved that this Federation strongly condemns the Government for their lack of interest in cleaning up the pollution of our rivers and lakes and insists that some positive action be taken by the Ontario Government, immediately.</p>	Ontario Federation of Anglers and Hunters.	Definite action is being taken in many cases, and given serious study.	
<p>12. Lands along good trout streams near centres of population should be set aside as public fishing grounds and if necessary such grounds should be purchased from private owners. Portions of the shores of lakes affording good fishing should likewise be preserved for the public. This programme can be carried out at a lower cost during the next few years than when population increases force land values up.</p>	Ontario Federation of Anglers and Hunters.	Most of the waters of the Province are available to public fishing without licence fees for Ontario residents.	
<p>13. Resolved,—</p> <p>(a) That the Government proceed at once to finish the fish ladder installation already begun at Wasdell Falls at the discharge of Lake Couchiching.</p>	Ontario Federation of Anglers and Hunters.	Fish ladders are now being installed and tested in various waters of the Province. Their use and value has not been definitely established.	

(b) That as a test installation at power dams, the Government instal fish ladders at the Hydro dams on the Matagami River.

14. Resolved that the Department of Lands and Forests be requested to pass specific legislation prohibiting the use of a device known as "sniggers" or "snaggers" for the taking of fish.

15. Whereas the present creel limit of 20 speckled trout per day is more than is required by the angler to meet his personal needs; and

Whereas very few anglers carry a weigh scale to weigh their catch,

Therefore be it resolved that the bag limit on speckled trout be reduced to 10 fish per day, and that the weight limit be eliminated.

16. (15a) Resolved that the Department of Lands and Forests be requested to investigate possible pollution as a result of a new dye plant now being erected at Coboconk; and also the Visking Corporation Chicago plant being erected at Lindsay, and Ajax.

17. (15b) Be it resolved that permission to dip-net in Hamilton Bay, including outlets from Black Creek and Hendries Creek, be discontinued.

Ontario Federation of Anglers and Hunters.

Is being implemented. Section 7 (2) Fishery Regulations.

Ontario Federation of Anglers and Hunters.

Under consideration.

Ontario Federation of Anglers and Hunters. (Lake Simcoe and District Zone).

Will be given consideration and study.

Ontario Federation of Anglers and Hunters. (Huron and Erie Zone)

Will be given consideration.

RECOMMENDATIONS	By WHOM	STATUS	COMMENTS
18. (15c) That the Rainbow Trout season be changed to, namely, June 1st to October 15th, both dates inclusive, on St. Mary's River.	Ontario Federation of Anglers and Hunters. (Algonquin Zone)	Will be given consideration.	
19. Whereas all game fish such as bass and lunge, etc., have a specific open season in which said game fish might legally be caught; Whereas each year the pickerel move up our St. Lawrence River to spawn in the swift waters near the Long Sault Rapids and during this run can be very easily trapped or caught with tackle, and Whereas this depletion of our pickerel is causing great anxiety to us of the Cornwall Fish and Game Protective Association and also hurting our tourist trade in this District; Be it resolved that we urge the Department of Lands and Forests to inaugurate a pickerel season being May 16th to November 15th for this District.	Cornwall Fish and Game Protective Association.	Will be given consideration. Pickerel are not protected in Great Lakes, connecting waters and the St. Lawrence River—International waters.	
20. Whereas it has been the practice for many years to issue commercial licenses for fishing and through this type of fishing we are now rapidly losing our good summer fishing. Whereas we have known that as many as fifteen different people make use of the same single commercial license for the sale of perch, pickerel, pike, etc., on our local market and	Cornwall Fish and Game Protective Association.	Has been under study.	



if it is out of season fish they are sold to private customers who do not care, and

Whereas we, the Cornwall Fish and Game Protective Association, are not opposed to people ice fishing (IF PROPERLY SUPERVISED), but are *definitely opposed* to commercial ice fishing of above district in any form whatever, and we feel that this type of production fishing is hurting the chances of summer resident and tourist fishermen to acquire their normal limit of legal catches, thus hurting the tourist trade in cities and towns bordering this District;

Therefore be it resolved that all Commercial Ice Fishing be eliminated entirely and no licenses granted whatsoever;

And be it further resolved that anyone found selling perch, pickerel, etc., during the period of the St. Lawrence River freeze-up in this District, that they be liable to prosecution.

21. Whereas our game overseer is stationed at Morrisburg, Ontario, which is some 28 or 30 miles west of Cornwall;

Whereas we of the Cornwall Fish and Game Protective Association have always felt we needed more game enforcement officers for our game laws;

Whereas a great many of these laws are being broken, both east and west of Cornwall just for lack of enough game enforcement officers, and

Cornwall Fish and  
Game Protective  
Association.

RECOMMENDATIONS	BY WHOM	STATUS	COMMENTS
Whereas our deer population is being slaughtered for same reason as above; Be it resolved that we have at least one more and preferably two more game overseers permanently appointed for our District.	Cornwall Fish and Game Protective Association.		
22. (1) That from the Kenora-Rainy River District and as far south as, and including Parry Sound District the closing of the muskie season for angling be extended from October 1 to October 15.	Northern Ontario Outfitters' Association	Under study.	
23. (2) That in the Kenora-Rainy River District there be no closed season for the taking of lake trout by angling.	Northern Ontario Outfitters' Association	See Recommendation 2 by Ontario Federation of Anglers and Hunters.	
24. (3) That a shipping coupon for each species of fish be attached to each non-resident fishing license.	Northern Ontario Outfitters' Association	See Recommendation by Ontario Federation of Anglers and Hunters.	
25. (4) That the open season for bass be left as at present, namely—July 1st to October 15th.	Northern Ontario Outfitters' Association		
26. (5) That a fish hatchery and rearing pond for muskies and other game fish be established at or in the vicinity of Nestor Falls, to ensure adequate restocking of district lakes.	Northern Ontario Outfitters' Association		

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| <p>27. (6) That in lakes where the game fish are suspected to be suffering from an excess of coarse fish the Department take steps to attain a balance more favourable to the game fish.</p>  | <p>Northern Ontario<br/>Outfitters' Association</p> | <p>Study and some such work is under way in—<br/>Rideau Lakes<br/>Round Lake<br/>South Bay<br/>Lake of the Woods<br/>Lake Scugog</p> |
| <p>28. (7) That where lumber operations are plugging waterways with logs, seriously hampering an outfitters business, the Lands and Forests Department Institute immediately remedial control measures.</p>   | <p>Northern Ontario<br/>Outfitters' Association</p> | <p>Covered by existing laws in Dominion Fisheries Act.</p>   |
| <p>29. (8) That commercial fishing be not allowed in the following lakes: Dryden District; Indian Lake, north of Osoquana.</p>  | <p>Northern Ontario<br/>Outfitters' Association</p> |  |
| <p>30. (9) That the Department investigate pollution conditions from Steep Rock Mines that are seriously affecting the fish life of adjacent lakes.</p>   | <p>Northern Ontario<br/>Outfitters' Association</p> |  |
| <p>31. (10) That the Department of Lands and Forests through the Department of Education, establish in schools a course of instruction in fish and wildlife conservation.</p>   | <p>Northern Ontario<br/>Outfitters' Association</p> |  |
| <p>32. (11) That the Department of Lands and Forests be commended on the fine quality and size of the fish they provide for restocking purposes. (We believe that the larger fish have a much greater chance of survival than have smaller fish).</p> | <p>Northern Ontario<br/>Outfitters' Association</p> |  |

RECOMMENDATIONS	By WHOM	STATUS	COMMENTS
33. (1) That there be immediately put into effect a closed season of at least 2 years' duration on moose. The aforesaid 2 years to be spent in a general moose survey, Predator relationship study, browse survey in heavily populated areas. Also, that much increased protection be provided in the form of more game wardens and increased bounty on wolves and if possible the setting up of a Predator Control Board.	Ontario Federation of Anglers and Hunters.		Moose survey underway by Royal Ontario Museum for past three years.
34. (2) That so-called "homesteading" of Crown woodlands be not permitted unless and until competent previous examination has shown that the land is suitable for successful farming in proper social and economic communities. The establishment of more rural slums should not be permitted, through the process of turning good public forest lands into sub-marginal agricultural lands. Such areas are much more useful to the Province for the scientific production of forest and wildlife crops.	Ontario Federation of Anglers and Hunters.		
35. (3) As an aid to preventing the too-rapid depletion of our wildlife resources, government advertising should emphasize scenic beauty and healthful recreation rather than merely the destruction of wildlife.	Ontario Federation of Anglers and Hunters.		

## Ontario Federation of Anglers and Hunters.

36. (4) We urge the Ontario Government to secure the full co-operation of the Dominion Government, Department of Transport in insisting that all aircraft coming into and leaving Canada report at points of entry as required by law; and that the use of aircraft as an instrument in the actual hunting of game or taking of fish be prohibited, and that their use be limited to *transportation only* to and from a declared base.

Ontario Federation of Anglers and Hunters. Aliens now may hold license with a higher fee than resident.

37. (5) That no Tourist Outfitters' License be granted to an alien and that all aliens applying for campsites be informed to the above effect.

Ontario Federation of Anglers and Hunters. There are many registered trap-lines in this area.

38. (6) That a Game Preserve of up to one thousand square miles area be established north of Lake Wanapitei, based on a suggested line from Tyrone to MacBeth townships, and extending northward to a line from Adams to Black townships with adequate forestry and wildlife control.

Ontario Federation of Anglers and Hunters.

39. (7) Experience with Algonquin Park has shown the people of Ontario the immense value of properly controlled wildlife sanctuaries as a means for re-establishing the native game and fur in an area formerly depleted, both in the park and its surroundings. Widespread poaching in the Abitibi, Mississauga and Chapleau Game Preserves

RECOMMENDATIONS	BY WHOM	STATUS	COMMENTS
has limited its effectiveness in this regard. For this reason, we urge that more Game Wardens be appointed in this area, and two at Thessalon, and that effective airplane patrols be instituted.			
40. (8) That the number of biologists be increased as rapidly as possible for more extended investigations into wildlife and fish conditions, and that research be extended as soon as possible.	Ontario Federation of Anglers and Hunters.	Staff of biologists being added to as trained men are available.	
41. (9) That, in the interests of safety, and for the protection of human life, certain minimum physical requirements notably eyesight, be established prior to issuing of gun or hunting licences; and that the bearing of firearms while under the influence of intoxicants be subject to the same penalties as the operation of motor vehicles while in the same condition.	Ontario Federation of Anglers and Hunters.		
42. (10) That a bounty be placed on bear, in unorganized as well as in organized territories, as a means of protecting Moose.	Ontario Federation of Anglers and Hunters.	Bounty in townships with 25% agricultural development.	
43. (11) That the killing of any Deer under the age of one year be prohibited.	Ontario Federation of Anglers and Hunters.	At present 50% of kill must be antlered bucks.	The only practicable classification is antlered and antlerless.

44. (12) That alien resident deer-hunters be accompanied by a Licensed Guide on the same basis as moose hunters.

45. (13) Resolved that the Department of Lands and Forests be requested to study the entire picture and bring in legislation to regulate and control deer hunting so that the present chaotic and dangerous conditions now existing will be eliminated. It is respectfully submitted that the following conditions and suggestions be considered:

It is proposed to divide into sections, districts, or townships, as may be deemed wise, the heavier hunted sections of the Province. Deer licenses could then be issued by each unit and a quota of permits allowed each year depending on conditions as known to the Department. The number of deer camps operating in each unit could be supervised as to number of hunters permitted and the location of each camp would then be known to the Department. No new hunt camps should be allowed to locate close to an established camp already operating. The number of guests or members of any camp should not exceed 18 at any time.

A permit should be obtained from the Conservation Officer in the District before a camp can be established in any area. A deer hunting license should be valid only for the district in which it is issued and a better

Ontario Federation of Anglers and Hunters.

Ontario Federation of Anglers and Hunters.

Section 20 (3) now applies and covers both moose and deer in Rainy River and Kenora and province-wide.

It would undoubtedly be much simpler to continue to base control on deer rather than hunters. Deer will increase in a very short time under protection which can be applied where needed. Where there are too many hunters the divisions of an equitable and democratic way of limiting their numbers is not easy.

Tourist outfitters are now licensed hunters camps on Crown land are subject to permit; many are not on Crown land.

RECOMMENDATIONS	BY WHOM	STATUS	COMMENTS
<p>supervision to have it cancelled as soon as the licensee has been successful. Licensed guides and camp helpers should not be permitted to carry firearms while working for guest hunters.</p> <p>A Buck Law on alternative years, or at the discretion of the Department, must be established in some depleted areas at once. The deer herd in the Parry Sound District is at an all time low and must have some immediate assistance.</p> <p>Wolves are becoming more prevalent each year in the best deer areas. The wolf bounty should be increased and better supervision given to its payment.</p> <p>The travelling expense account of Conservation Officers should be greatly increased during the hunting season to enable them to properly cover the deer hunting areas.</p> <p>The checking station at Gravenhurst should be maintained for the entire season; not for just the first week-end as was the case in 1948. Valuable data could be recorded from the returning hunters as they pass inspection. A survey of winter deer yard concentrations should determine an accurate estimate of the deer herds in any given area.</p>			
<p>46. (14) That guides, when acting as such, be prohibited from carrying firearms.</p>	Ontario Federation of Anglers and Hunters.	Guides can carry firearms at present.	Increase in pup bounty in proposed legislation.



47. (15) That an applicant for a Farmer's Deer License must sign an affidavit, attached to the license, that he is actually living on the farm and tilling the soil in the hunted areas.
48. (16) Whereas at the present time no button or badge is issued with all provincial hunting licenses (deer included) by the Department;  
Whereas it is deemed in the best interest of conservation, the retaining of the good will of the farmers, the protection of good honest sportsmen, and the respect of the Game laws, and  
Whereas the necessity of having such a button worn so that it may be seen will increase the sale of gun license to such an extent that the revenue will easily offset the expenditure by the Department to purchase these buttons;  
Be it resolved that this Association recommends that a large button be issued with every provincial hunting license.
49. (17) That the laws relating to guides' license be rigidly enforced, and that these licenses should not be issued without the approval of the local Fish and Game Overseer.
50. (18) That consideration of our Game should be made before cutting operation plans are approved.
- Ontario Federation of Anglers and Hunters. Farmers now sign a form—Do not give affidavit.
- Ontario Federation of Anglers and Hunters. Buttons were formerly used. They increased the work of license issue.
- Ontario Federation of Anglers and Hunters. This is the present situation.
- Ontario Federation of Anglers and Hunters.

RECOMMENDATIONS	By WHOM	STATUS	COMMENTS
51. (19) That the use of the ferret be prohibited until such time as the cottontail rabbit becomes a pest.	Ontario Federation of Anglers and Hunters.		
52. (20) Whereas the character and sporting ethics of applicants for vermin permits may not be fully known by the head office of the Department of Lands and Forests; and Whereas some recipients of licenses issued by them have been found to be misusing this privilege;	Ontario Federation of Anglers and Hunters.	Legislation pending.	
Therefore be it resolved that Vermin Permits shall not be issued except by the Game Overseer in the locality where the applicant resides, but in no event will a Vermin Permit be issued without the written consent of the local Game Overseer.			
53. (21) Whereas the lack of knowledge of the game laws has caused unnecessary violations, and	Ontario Federation of Anglers and Hunters.		
Whereas many novice hunters and fishermen are unaware of the laws;			
Therefore be it resolved that it shall be mandatory for an issuer of licenses to furnish to the purchaser of a license, at the time license is purchased, a summary of the Game Laws in the latest issue.			

54. (22) Whereas the issuing and selling of hunting and/or gun licences many weeks prior to the opening of the Hunting Seasons, tends to leave the impression with the hunter that he can legally carry a gun in the field, Therefore be it resolved that the Hunting Licenses will not be placed on sale sooner than 14 days prior to the opening of the hunting Season.

55. (23) Whereas the practice of marketing and selling of Jack Rabbits is gradually depleting this game, and

Whereas this commercial hunting, if continued will soon make the sport hunting of Jack Rabbits impossible;

Therefore be it resolved that the sale of Jack Rabbits be prohibited and a bag limit of 6 Jack Rabbits per day be added to the regulations.

56. (24) That alien hunting licences confer only the same privileges and open seasons as are accorded to residents.

57. (1) Resolved that the Department of Lands and Forests be requested to make it unlawful to use snares of any type in the County of Simcoe, except on registered trap-lines or by special permission from the District Forest Ranger.

Ontario Federation of Anglers and Hunters. Already attended to for 1949.

Ontario Federation of Anglers and Hunters.

Sale of cottontails prohibited in 11 counties.

The prohibition of sale of cottontails in York County did away with commercialization of this species.

Ontario Federation of Anglers and Hunters. No exception to this now.

Ontario Federation of Anglers and Hunters. (Simcoe District Zone)

Usually done by County Council request.

RECOMMENDATIONS	By WHOM	STATUS	COMMENTS
58. (2) Resolved that the Department of Lands and Forests be requested, in cases where the Department asks for and has the permission of a County Council or Township Council, to hold in that County or Township controlled and special season to hunt deer. That the Department consult with the Council as to dates and regulations governing the hunt in sufficient time to advertise the same in the papers circulating in that area to properly warn and inform the population of the proposed open season.	Ontario Federation of Anglers and Hunters.  (Simcoe District Zone).		The trouble has usually not been with the Dept. nor with most townships but with one or two hold-outs.
59. (1) Resolved that it would be advisable to move the southern boundary of the central duck hunting zone in Eastern Ontario far enough North to take the boundary line North of the Rideau and Mississippi watershed. At present the boundary line runs along the high water mark of the Rideau which at times is rather hard to define. Further, this boundary line cuts through a territory in which a lot of duck hunting is done, with the result that the waters just North of the line are hunted very hard during the week prior to the opening of the season in the Southern Zone. We think it would be wise to have the seasons open at the same time in all the Rideau and Mississippi watersheds.	Ontario Federation of Anglers and Hunters. (Ottawa-St. Lawrence Zone)		

60. (2) Whereas a few years ago the District of Stormont had a terrific ice storm and due to this storm which killed off nearly all our partridge, and

Whereas each year since that storm we have had an open season on partridge thus not giving them a fair chance to multiply as they should;

Be it resolved that a closed season for at least five years be recommended for the County of Stormont.

61. (3) Whereas in the Dominion of Canada six weeks is allowed each fall for duck shooting, and

Whereas in many provinces of the Dominion Sunday shooting is permitted, which is not the case in Ontario, now,

Therefore be it resolved that the duck season in Ontario be lengthened to compensate for the loss of one day per week, Sunday, in future seasons.

62. (4) That this Zone goes on record as recommending that the season for ducks be not opened before the 15th of October and not closed before the end of November in Southern Ontario and Algonquin Zone.

63. (1) Black and Grey Squirrels in this section have almost reached the point of extinction and some measure of protection is badly needed if they are to survive;

Ontario Federation of Anglers and Hunters.  
(Ottawa—  
St. Lawrence Zone)

Ontario Federation of Anglers and Hunters.  
(Ottawa—  
St. Lawrence Zone)

Ontario Federation of Anglers and Hunters.  
(Ottawa—  
St. Lawrence Zone)

Ontario Federation of Anglers and Hunters.  
(Huron and Erie  
Zone)

This reported condition needs careful field check by our Department.

Argued out at Ottawa many times. About the only Province gaining an unfair advantage over Ontario is Quebec, and the wisdom of juggling seasons on the Ontario-Quebec border is doubtful.

RECOMMENDATIONS	BY WHOM	STATUS	COMMENTS
<p>We therefore ask that a two-year closed season be imposed on Black and Grey Squirrels in Bruce County.</p>			
<p>64. (2) Whereas the regulation restricting the opening hours of shooting during Pheasant Season to 8 a.m. is not adhered to by 90 % of the hunters, and</p> <p>Whereas this Association feels it is not possible for the Department to enforce this Regulation;</p> <p>Be it resolved that this Association recommends that the shooting hours for pheasant be from sunrise to sunset on the legal days.</p>	<p>Ontario Federation of Anglers and Hunters. (Huron and Erie Zone)</p>		
<p>65. (3) Whereas the Cotton-tail Rabbit and the Jack Rabbit population in Waterloo County has dropped to an all time low, and</p> <p>Whereas some measures must be taken to protect these species;</p> <p>Therefore be it Resolved that a closed season on Cotton-tail Rabbits and Jack Rabbits be imposed in Waterloo County from the 1st day of March to 30th day of September, inclusive.</p>	<p>Ontario Federation of Anglers and Hunters. (Huron and Erie Zone)</p>	<p>No Close Season.</p>	
<p>66. (4) That Norfolk County be added to the list of Counties appearing in Sub-Section 6, Section 28 of the Game and Fisheries Act, and that the sale of Cotton-tail Rabbits be</p>	<p>Ontario Federation of Anglers and Hunters. (Huron and Erie Zone)</p>		

- prohibited in Norfolk County, as provided in Section 41 of this Act.
67. (5) We strongly urge that the Alien Non-Resident Small Game Licence be not valid in Haldimand County.
68. (6) Whereas the Deer population in this County would seem to warrant open season, Be it resolved that a suitable open season for Deer will be granted in Grey and Bruce counties under a Provincial Deer License.
69. (7) Whereas Rabbit drives in this district in recent years have been made up of as many as 50 men and resulted in a slaughter of the rabbits;  
Be it resolved that Rabbit drives in the Huron and Erie District be limited to a maximum of six men to eliminate the terrific slaughter of the diminishing rabbit.
70. (8) Whereas the Rabbits are still carrying their young;  
Whereas the natural cover at this time of year makes the hunting of rabbits practically impossible, and  
Whereas considerable damage is done to growing crops;  
Therefore be it resolved that Rabbits, either Cotton-tail or Jacks, may not be
- Ontario Federation of Anglers and Hunters. (Huron and Erie Zone)
- At present not valid for rabbit in Essex and Kent.
- Ontario Federation of Anglers and Hunters. (Huron and Erie Zone)
- Season in recent years has been by "Special Deer License."
- Ontario Federation of Anglers and Hunters. (Huron and Erie Zone)
- Rabbits being classified as game is pending legislation.
- Ontario Federation of Anglers and Hunters. (Huron and Erie Zone)

RECOMMENDATIONS	By WHOM	STATUS	COMMENTS
<p>hunted or taken in Essex County between the 31st day of January and the opening of the Pheasant Season. In the event that there is no Pheasant Season in any one year or years in Essex County, then the closed season shall be from January 31st until November 1st that year or years.</p>			
<p>71. (9) Whereas the present wording on the Hunting or Gun License is conflicting with the legal hunting season in Essex and Kent Counties;</p> <p>Therefore be it resolved that the wording on the face of the Gun License, which reads as follows: "This license expires the last day of February" shall be changed to read as follows: "This license expires on the last day of February, except in the Counties of Essex and Kent, where this license expires on the 31st day of January.</p>	Ontario Federation of Anglers and Hunters. (Huron and Erie Zone)	Already arranged.	
<p>72. (10) That the present regulations which prohibit the taking of rabbits by Alien Non-Residents of Ontario be continued in force in Essex and Kent Counties.</p>	Ontario Federation of Anglers and Hunters. (Huron and Erie Zone)		
<p>73. (1) That the Department, as a conservation measure, and under a rigid rationing system, be asked to enact legislation requiring, where feasible, all non-resident</p>	Northern Ontario Outfitters' Association.		



hunters be attached to licensed outfitters, and that they hire only guides who are so attached.

74. (2) That, where feasible, and under a rationing system the Department, restrict the sale of non-resident hunting licenses to licensed outfitters.

75. (3) That an improved system of training and overseeing guides be instituted.

76. (4) That before a non-resident hunter be granted a hunting license he be required to give the name of the licensed outfitter under whose supervision he will hunt.

77. (5) That for more accurate Government records it be compulsory that at the close of the hunting season and before his annual license can be renewed, licensed outfitters be required to submit an accurate report of hunters handled and game taken.

78. (6) That in the Kenora-Rainy River district the use of dogs for big game hunting be prohibited.

79. (7) That the hunting of wolves by airplane be permitted during December, January, February and March, and a License issued for this purpose.

Northern Ontario  
Outfitters' Association

Northern Ontario  
Outfitters' Association.

Northern Ontario  
Outfitters' Association.

Northern Ontario  
Outfitters' Association.

Northern Ontario  
Outfitters' Association.

Northern Ontario  
Outfitters' Assoc.

Plans now being drawn up.

RECOMMENDATIONS	BY WHOM	STATUS	COMMENTS
80. (7a) That the Department issue a non-resident wolf hunting license, valid from November 1st to June 15th at a fee of \$5.25.	Northern Ontario Outfitters' Assoc.	Present license valid until February 28th. Bear license valid April 1st to June 15th may be used for taking wolves.	
81. (8) That the wolf bounty for both pups and adults be increased.	Northern Ontario Outfitters' Assoc.	Increase in pup bounty in pending legislation.	
82. (9) That the Department be asked to investigate and if found practical, to employ the wolf control methods used with success by the U.S. Government. (This means zoning, with trained predator controllers employed.)	Northern Ontario Outfitters' Assoc.	Certain districts are working on hunting with snowmobiles and trappers and the Department has some wolf dogs which are being used.	
83. (10) That the Department of Highways, through the Department of Lands and Forests, be requested to allow each licensed camp operator to erect one sign, tax free, at the entrance or approach of his camp.	Northern Ontario Outfitters' Assoc.		
84. (11) That the Department be petitioned to take required steps to permit Sunday hunting in unorganized territory.	Northern Ontario Outfitters' Assoc.		
85. (12) That the use of planes be restricted to transportation uses only, and not as conveyances from which to hunt or fish.	Northern Ontario Outfitters' Assoc.	Legislation pending.	

86. (13) That all non-resident hunting and fishing parties arriving in their own planes, or in planes operated for their private use, be under the supervision of a licensed outfitter.	Northern Ontario Outfitters' Assoc.	
87. (14) That the open season for ducks be from September 25th to November 10th.	Northern Ontario Outfitters' Assoc.	The total number of days will have to fit general practice.
88. (15) That all private hunting camps be required to obtain a permit under a rationing system, and that an elected Captain in such camps be made responsible, as a Deputy, for the observance of the Fish and Game regulations.	Northern Ontario Outfitters' Assoc.	
89. (16) That seals be placed on deer immediately after they are shot, the same as moose, and that the seals be attached to the heads of moose and deer instead of to their legs.	Northern Ontario Outfitters' Assoc.	
90. (17) That the open season for deer hunting in the Kenora-Rainy River district remain as present, namely October 15th to November 25th.	Northern Ontario Outfitters' Assoc.	
91. (18) That in the Kenora District the bear hunting season be closed for 5 days immediately preceding the deer season.	Northern Ontario Outfitters' Assoc.	No change proposed.

RECOMMENDATIONS	BY WHOM	STATUS	COMMENTS
92. (19) That the closed season on moose in the Kenora-Rainy River District south of the C.N.R. transcontinental line, remain in effect.	Northern Ontario Outfitters' Assoc.		
93. (21) That instead of declaring an unnecessary province-wide closed season on moose, the province be zoned, with a limited number of licenses, according to its moose population, issued for each zone.	Northern Ontario Outfitters' Assoc.		
94. (22) That all hunting within a half-mile of provincial highways be prohibited, and notices posted to this effect.	Northern Ontario Outfitters' Assoc.		
95. (1) Provision of an open season of two weeks for the taking of deer with bow and arrow only, this open season to immediately precede the open season for taking of deer with guns.	Hunting and Field Archers of Ontario.		
96. (2) Provision of a resident fee of \$2.00 and a non-resident fee of \$5.00 for hunting deer with bow and arrow only, during this open season.	Hunting and Field Archers of Ontario.		
97. (3) Provision of an open season for the taking of ruffed grouse with bow and arrow only during the above open season for deer.	Hunting and Field Archers of Ontario.		

98. (4) Provision of the usual \$1.00 fee for such small game hunting, the same to include rabbits, hares, etc. Hunting and Field Archers of Ontario.
99. (5) Provision of the same bag limits as for the usual open season for gun hunting. Hunting and Field Archers of Ontario.
100. (6) Provision of full fees in addition to bow fees for hunters who wish to hunt during the regular hunting season, such hunting to be allowed only if the bag limit has not been obtained during the earlier season. Hunting and Field Archers of Ontario.
101. (7) Provision of a special archery hunting preserve, failing the provision of a general open season. Hunting and Field Archers of Ontario.
102. (1) That the Department reopen the cases of all old trappers who have held trapping licenses for many years and who have lost their licenses for violations of the game laws, and have a thorough investigation made of each case; and that these trappers be reinstated and their licenses returned to them if the wildlife supervisors feel that the circumstances warrant it. New Ontario Trappers' Association
103. (2) That trappers be allowed to use snares in the fall, or as long as licenses are in effect, and that anyone running dogs in hunting do so at their own risk. New Ontario Trappers' Association

RECOMMENDATIONS	BY WHOM	STATUS	COMMENTS
104. (3) That instead of considering closing the moose season, the country be zoned with licenses issued for each zone limited according to the moose population of the zone, and that all non-resident moose hunters be required to have a competent, qualified guide in attendance; and also that the moose season be restricted to 15 days' duration to commence at a later date than is at present in effect.	New Ontario Trappers' Association		
105. (4) That a \$50.00 bounty be paid on wolves and that the same bounty apply on the pups as well as on the adult wolves.	New Ontario Trappers' Association		
106. (5) That registered trappers be paid a \$25 bounty on bear, as according to evidence witnessed, we consider them the most destructive creature in the bush and many trappers are greatly in fear of them.	New Ontario Trappers' Association		
107. (6) That in order to hold his license a trapper be required to spend at least two months on his ground during the open season, but that the exact time be not stipulated but left to the discretion of the trapper to choose the most suitable period.	New Ontario Trappers' Association		
108. (7) That before being granted a license the trapper must be able to pass an examina-	New Ontario Trappers' Association		

tion which will satisfy the game overseer that he has a good knowledge of the proper methods of conservation and that he has enough knowledge of the handling of furs to guard against the placing of inferior merchandise on the market.

109. (8) That the otter season be extended to the end of the musk-rat season.

110. (9) That the Department have licenses available by September 1st and that the trapper be allowed until the opening of the beaver season to put in his quota of beaver houses.

111. (1) Whereas under the Game and Fisheries Act, 1948, Section 10 (1) and (1a) hunting and the carrying of firearms and airguns is permitted under the authority of a provincial gun license, and

Whereas this renders control of illegal hunting in regulated areas difficult;

Be it resolved that representation be made to the Minister of Lands and Forests to amend the said section of the Game and Fisheries Act to prohibit the carrying of firearms and air-guns and the hunting of birds and animals in regulated township areas except under the authority of a township license, subject to the provisions of The Migratory Convention Act.

New Ontario  
Trappers' Association

New Ontario  
Trappers' Association

Townships of Mark-  
ham, Pickering, Whit-  
church, Whitby, and  
Vaughan, as well as  
the Townships of East  
Whitby, King, and  
the County of Peel.

At present Section 72 (d)

applies.

RECOMMENDATIONS	BY WHOM	STATUS	COMMENTS
112. (2) Be it resolved that we request the Minister of Lands and Forests to make provisions under Section 43 of The Game and Fisheries Act to make it illegal to carry any air-gun, gun, rifle or other firearm unless it is encased or dismantled, between one half hour after sunset on Saturday and one half hour before sunrise on Monday next following, in regulated Township areas.	Townships of Markham, Pickering, Whitby, Whitby, and Vaughan, as well as the Townships of East Whitby, King, and the County of Peel.		
NOTE.—The following are verbal recommendations presented to The Game and Fish Committee at the meetings on March 15th and 16th, 1949.			
113. Asked for a limit of alien non-resident angling and hunting licenses. Also that the licenses issued be directed to areas where the supply of game and fish is adequate to meet the needs and requirements of this licensing.	Mr. W. E. Smith, Durham, Past President of the Ontario Federation of Anglers and Hunters.		
114. Government to take action to remove those surplus coarse fish to give the game fish—which have been fished out—a chance.	Mr. J. S. Wilson, Massey.		
115. Reasonable control of water flow in French River in the interest of fish production.	Harold Elder, French and Pickerel Rivers Resorts Association.		
116. Request for a hatchery in the immediate vicinity of Lake Timagami.	C. E. Rogers, Timagami.		



117. Asking protection of hawks and owls.  
Federation of Ontario  
Naturalists  
(Clive Thomson)
118. Special study of fish ladders over dams,  
etc., in relation to different species of fish.  
T. U. Fairlie, Georgian  
Bay Association.
119. (1) The laws against pollution of lakes  
and streams be strengthened.  
Tourist Resorts of  
Ontario.
120. (2)—  
(a) The cutting of shore lines within 100  
yards be prohibited in order to stop  
food run off and lake shrinkage, to  
enhance the beauty and give cover for  
game.  
(b) In cutting of all woodlots, slash and  
brush be required to be burned and  
reforestation be made compulsory to  
those who cut the woodlots.  
(c) Highway margins be preserved in  
forest lands.  
Tourist Resorts of  
Ontario.
121. (3) To ensure the continual supply of  
fish and game in this Province for all time,  
there shall be,—  
(a) Better enforcement of existing laws,  
the hiring of more enforcement officers  
with higher salaries and more and  
better equipment. The Provincial  
Police organization should provide an  
example in this matter.

RECOMMENDATIONS	BY WHOM	STATUS	COMMENTS
(b) More biological surveys to discover how our lakes can be kept in balance by proven means, such as netting of coarse fish, if necessary paying a bounty on same to make it profitable for commercial fishermen to take them; abolishing commercial fishing in game fish areas except where it is necessary for maintaining balance; increased and better directed re-stocking.			
122. (4) A course of training shall be made available for all licensed guides.	Tourist Resorts of Ontario.		
123. (5) A rod license for resident anglers be introduced as a means of control.	Tourist Resorts of Ontario.		
124. (6) Commercial aircraft be controlled by chartering of specific areas to specified commercial operators duly licensed and qualified as fish and game conservationists; and in the case of private aircraft more rigid checks be made not only by the enforcement officers but by resort operators, who might be made Deputy Game Wardens, in whose area the private aircraft is operating, and by Customs officials.	Tourist Resorts of Ontario.		

# Tourist Resorts of Ontario.

125. (7) Conservation be taught in every educational institution in the Province as part of and included in their curriculum; that service clubs, Boy Scouts, Girl Guides, Boards of Trade, Y.M.C.A.'s and Y.W.C.A.'s, religious groups, motion pictures, radio, press, periodicals, and any other source not here mentioned, institute and carry out a programme for education as to the importance of preservation of our natural resources.

# Tourist Resorts of Ontario.

126. (8) That legal length of Bass be increased from 10" to 12". Great Northern Pike be declared game fish with a legal length of 24".

# New Ontario Trappers Assoc. (G. S. Clement)

127. That bounty on bear be increased to \$25.00.

# New Ontario Trappers Assoc. (G. S. Clement)

128. That bounty on wolves be increased to \$50.00.

# New Ontario Trappers Assoc. (G. S. Clement)

129. That open season for beaver extend from December 1st to March 31st.

# Lincoln County Council.

130. Increase bounty on wolves to \$40.00.

# Lincoln County Council.

131. Increase refund to counties—50 % of the bounty.

# Mrs. DeSahen, Ashagami.

132. Places on record view that she and most other tourist operators favour a closed season on moose.

RECOMMENDATIONS	BY WHOM	STATUS	COMMENTS
133. Not in favour of shorter open season for deer.	Theodore Peacock, Gooderham.		
134. Provide a strict "buck law."	Theodore Peacock, Gooderham.		
135. Prohibit dogs hunting deer.	Theodore Peacock, Gooderham.		
136. Opposed to any action to prohibit the use of centre fire rifles in southern Ontario.	R. C. Morrison, Newmarket.		
137. Open season, migratory birds, north of No. 7, should be later in the year.	Gordon Freeburn, Peterborough.		
138. Suggest change in zones for hunting of migratory birds.	Port Perry Rod and Gun Club, Port Perry, Ontario.		
139. Provide bounty on fox.	Haliburton County, (E. A. Rogers, Clerk)		
140. Restrict open season for deer to period of ten days.	Haliburton County, (E. A. Rogers, Clerk)		
141. Provide entire close season for deer in Carleton and Lanark Counties.	James Park, Poland.		
142. Provide entire close season for deer in the west portion of Parry Sound District.	Geo. Kingsborough, Coldwater.		

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| 143. Include Bruce among counties in which use of snares is prohibited at all times.                                 | Bruce County,<br>(D. Forrester, Clerk).           |
| 144. Favour modified "buck law" for deer.  | Western Manitoulin<br>Board of Trade.             |
| 145. Provide only one period of open season for partridge.   | Western Manitoulin<br>Board of Trade.             |
| 146. Deer should be tagged immediately after kill.   | Western Manitoulin<br>Board of Trade.             |
| 147. Favour present open season for deer.  | Western Manitoulin<br>Board of Trade.             |
| 148. Restrict number of deer hunters in this township.   | Twp. of Brougham, Renfrew,<br>(W. L. Hunt, Clerk) |
| 149. Prohibit use of dogs for hunting deer in this township.   | Twp. of Brougham, Renfrew,<br>(W. L. Hunt, Clerk) |
| 150. Prohibit transportation of deer after dark.   | Twp. of Brougham, Renfrew,<br>(W. L. Hunt, Clerk) |
| 151. Increase penalties for unlawful hunting   | Twp. of Brougham, Renfrew,                        |
| 152. Prohibit all fishing, except for speckled trout, in the Kawartha Lakes, before the Saturday preceding July 1st. | Victoria County Council<br>(F. L. Weldon, Clerk)  |
| 153. That the Province remit an additional \$5.00 to counties—Wolf Bount.  | Victoria County Council<br>(F. L. Weldon, Clerk)  |

RECOMMENDATIONS	BY WHOM	STATUS	COMMENTS
154. Favours shorter open season for deer.	Douglas Ellery, Fenelon Falls.		
155. Prohibit use of dogs for hunting deer.	Douglas Ellery, Fenelon Falls.		
156. That no quota on perch be stipulated in the Fishery Regulations.	Huron County Council (N. W. Miller, Clerk)		
157. Remove bag limit on perch, or increase it to 50 per day.	A. C. Rock, Dublin.		
158. Speckled Trout: First 20 fish taken, regardless of length, to constitute an angler's daily bag limit.	W. R. Commins, Manitowaning.		
159. That open season—deer—be shortened, November 1st to 25th.	Eagle River Junior Chamber of Commerce.		
160. That open season—moose—be shortened, November 1st to 25th.	Eagle River Junior Chamber of Commerce.		
161. That wolf bounty be increased.	Eagle River Junior Chamber of Commerce.		
162. Permit non-resident anglers to export two days' catch of black bass.	Chamber of Commerce, St. Williams.		
163. Black bass—first six fish taken, regardless of length, to constitute an angler's daily bag limit.	Chamber of Commerce, St. Williams.		

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| 164. Prohibit use of aeroplanes in connection with hunting, trapping and fishing in otherwise accessible areas. | Ralph Bice, Kearney. |
| 165. Possession limit of fish should be restricted to one day's catch.  | Ralph Bice, Kearney. |
| 166. Suggests reduction in bag limit of lake trout.   | Ralph Bice, Kearney. |
| 167. Suggests reduction in bag limit of speckled trout,—<br>15 per day or 8 pounds weight.                      | Ralph Bice, Kearney. |
| 168. Suggests reduction in bag limit of black bass,—<br>5 per day.  | Ralph Bice, Kearney. |
| 169. Shorten the open season for deer, ten days including two week-ends.  | Ralph Bice, Kearney. |
| 170. Shorten season for mink.   | Ralph Bice, Kearney. |
| 171. Shorten season for marten.   | Ralph Bice, Kearney. |
| 172. Shorten season for fisher.   | Ralph Bice, Kearney. |
| 173. Opposed to the higher fee for a guide's license in Algonquin Park.   | Ralph Bice, Kearney. |
| 174. Pay bounty on wolves found dead in the woods.  | Ralph Bice, Kearney. |

RECOMMENDATIONS	BY WHOM	STATUS	COMMENTS
175. Shorten deer season—north and south of C.N.R.	Kenora Anglers and Hunters Club.		
176. Close season on moose for an indefinite period.	Kenora Anglers and Hunters Club.		
177. Close season—Lake Trout—to correspond with close season commercial fishing.	Kenora Anglers and Hunters Club.		
178. Prohibit the leasing of areas for hunting of migratory birds.	An Angler, Meaford.		
179. Prohibit the leasing of fishing areas.	An Angler, Meaford.		
180. Provide for the issue of a resident angling license; use proceeds from one sale of these licenses for restocking purposes; and make fishing in such restocked waters available to all anglers.	An Angler, Meaford.		
181. Deer,—			
(i) Provide a ratio of 3 bucks and 1 doe for each four hunters.	Island View Hunt Club (brought in by Mr. Janes).		
(ii) Guides should not be permitted to carry fire-arms.			
182. Specific deer licenses should be issued for each zone, and a license should be valid only in the zone specified.	Island View Hunt Club		



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| 183. Hunting camps, private and commercial, should be licensed, location and capacity registered with the Department, and a cap-<br>tain should be responsible for compliance<br>with regulations in the camp. | Island View Hunt Club              |
| 184. No hunting camp to be located within<br>two miles of a permanently established camp<br>without consent of the latter.   | Island View Hunt Club              |
| 185. All temporary camps be required to<br>obtain a camping permit from local overseers.   | Island View Hunt Club              |
| 186. Consideration be given to size and num-<br>ber of fish to be taken by tourists.   | Island View Hunt Club              |
| 187. Shorten open season for deer in Rainy<br>River and Kenora—November 1st to Novem-<br>ber 25th.   | H. F. Hanson.                      |
| 188. Declare close season on partridge for a<br>number of years.   | H. F. Hanson.                      |
| 189. Declare close season on moose for two<br>years.   | Chamber of Commerce,<br>North Bay. |
| 190. Shorten open season for deer in area<br>north of North Bay—November 10th to<br>November 25th.   | Chamber of Commerce,<br>North Bay. |
| 191. Increase penalty for illegal taking of<br>deer, moose, elk, caribou.  | Chamber of Commerce,<br>North Bay. |

NOTE.—The following are recommendations made by the Department of Lands and Forests.

RECOMMENDATIONS	BY WHOM	STATUS	COMMENTS
1. Section 46, Game and Fisheries Act, requires amendment to bring exportation of migratory birds by non-resident hunters in line with the Migratory Birds Regulations.	Fish and Wildlife Division.		
2. Use of shot gun slugs should be prohibited in southern Ontario, except during the open season for deer, and under a license to hunt deer.	Lake Simcoe District (J. F. Simmons, District Forester).		
3. The resident hunting (gun) license should not be valid for high-powered rifles.	Lake Simcoe District (I. C. Marritt, District Forester).		
4. Prohibit possession and use of any firearm in a place from which game may be shot, between one-half hour after sunset on Saturday and one-half hour before sunrise on Monday next following, unless it is unloaded and encased or it is dismantled.	Lake Huron District (I. C. Marritt, District Forester).		
5. Prohibit the carrying and use of high-powered rifles in southern Ontario, except during the open season for deer and under a license to hunt deer.	Lake Huron District (I. C. Marritt, District Forester).		
6. Should provision be made to include general hunting during the open season for deer and moose under the authority of licenses to hunt deer and moose.	Fish and Wildlife Division.		

Fish and Wildlife  
Division.

## Department.

7. Should restrictions be provided to control the issue and use of the summer hunting (vermin) license. See Section 10 (1a) Game and Fisheries Act.

8. Amend Section 29 (d) Game and Fisheries Act to read:

No person shall,—

(d) while having in his possession any portable artificial light equipped with an electric lamp of more than two-watts power, have in his possession during the period between one-half hour after sunset and one-half hour before sunrise any rifle or other firearm capable of killing deer or moose.

9. Adopt amendment to Game and Fisheries Act to provide in connection with dogs used to hunt deer,—

“To retain any stray dog on leash until it is called for, or held pending reply to an advertisement through the usual channels.”

10. Prohibit the hunting of deer in all parts of the Rideau Forestry District in 1949; *or*

11. Provide a “buck law” in the open areas in this Forestry district.

12. Prohibit the use of collie dogs for the hunting of deer.

Quinte District  
(A. Crealock,  
District Forester).

Rideau District  
(W. S. Steele, Dist. Forester).

Rideau District  
(W. S. Steele, Dist. Forester).

Rideau District  
(W. S. Steele, Dist. Forester).

RECOMMENDATIONS	BY WHOM	STATUS	COMMENTS
13. Provide legislation or regulations applicable to the hunting of raccoon.	Rideau District (W. S. Steele, Dist. Forester).		
14. Suggested amendments to legislation governing Tourist Outfitters. Sections 24 (f) and 72 (ee).	Division of Lands and Recreational Areas.		
15. Consider policy regarding issue of hunting licenses to persons under 16 years of age. (See file.)	Department.		
16. Speckled Trout: Reduce limit of catch to 10 fish (or 5lb.) per day.	Department.		

# APPENDIX No. 3

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## Report and Proceedings of the Standing Committee on Public Accounts

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Session of 1949

222. 41

## Report and Proceedings of the Standing Committee on Public Accounts

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SESSION OF 1949

*To the Honourable the Legislative Assembly of the Province of Ontario:*

GENTLEMEN:

Your Standing Committee on Public Accounts begs leave to present the following as its report:

Your Committee held four meetings during the course of which the Deputy Provincial Treasurer and the Provincial Auditor were in attendance and gave evidence regarding (a) The composition and compilation of the Public Accounts, (b) The duties and responsibilities of the Provincial Auditor, and (c) An interpretation of The Audit Act.

Your Committee begs to submit the following recommendations to the Legislature:

1. That The Audit Act be amended in order to bring it up-to-date.
2. That there be incorporated in the Public Accounts a Surplus Account, in order to reconcile the surplus at the beginning and end of each year.
3. That the Balance Sheet, the Statement of Consolidated Revenues, the Statement of Ordinary Revenues and Expenditures, and the Statement of Capital Receipts and Disbursements be signed by the Provincial Auditor, subject to his qualifications as contained in his report, and be signed also by either the Deputy Provincial Treasurer or the Chief Accountant.
4. That the Provincial Auditor present to the Legislature an Auditor's Report dealing with the recommendations and qualifications he wishes to make, and this Report be addressed to the Lieutenant-Governor.

All of which is respectfully submitted.

W. E. HAMILTON,  
*Chairman.*

Committee Room,  
Tuesday, March 29th, 1949.

# PROCEEDINGS

OF A

MEETING OF THE PUBLIC ACCOUNTS' COMMITTEE, HELD IN COMMITTEE ROOM No. 1, PARLIAMENT BUILDINGS, TORONTO, ONTARIO, TUESDAY, MARCH 22ND, 1949, AT 11.00 O'CLOCK, A.M.

MR. W. E. HAMILTON, *Chairman*,  
Presiding.  
MR. RICHARD SHERIDAN, *Clerk*.

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THE CHAIRMAN: Gentlemen, let us come to order. First, we will have the roll call.

Roll called by Secretary, with the following members present:—

Messrs. Allen, Baxter, Brown, Calder, Cathcart, Dennison, Doucett, Edwards, Ellis, Fell, Frost, Gemmell, Gordon, Hamilton, Houck, Hunt, Janes, Johnston (Simcoe Centre), Leavens, Mackenzie, MacLeod, Morrow, Murdoch, McEwing, McPhee, Nixon, Oliver, Park, Patrick, Phillips, Pringle, Pryde, Stewart, Temple, Thomas (Elgin), Thornberry, Villeneuve, Wismer.

THE CHAIRMAN: Gentlemen, I think the first thing we should do this morning is to listen to a statement which I understand has been prepared by Mr. Cotnam, the provincial Auditor. If it meets with your approval, I will now call upon Mr. Cotnam to make his presentation.

MR. COTNAM: The Office of the Provincial Auditor was created by Provincial Statute in the year 1886 to provide "for the more complete examination of the Public Accounts of the Province, and for the reporting thereon to the Legislative Assembly." It is obviously of great importance to the public that such an office has been established.

The present governing authority is The Audit Act, Chapter 24, R.S.O. 1937. This statute provides for the appointment of a Provincial Auditor and an Assistant Provincial Auditor to carry out the duties set forth in The Audit Act. Due to the fact that the Auditor is appointed by the Lieutenant-Governor in Council, and that the Auditor's salary is set forth in the Act as a charge on the Consolidated Revenue Fund he is in effect an Officer of the Legislative Assembly. He holds his office during good behaviour and may only be removable for cause by the Lieutenant-Governor on address of the Assembly. The practical result of these provisions is that the Auditor is answerable only to the Assembly for the conduct of his office and consequently can serve as an independent and impartial auditor. Within The Audit Act there are certain sections which are solely directive in nature but nowhere is there found any clause restricting the Auditor in the performance of his functions.



In general, the duties of the Auditor consist of an audit of the accounts of revenue and expenditure of the Government and the financial position of the Province. His function is in no way administrative or executive even in matters of account. His business is to watch, search, enquire and report.

The Auditor's examination of accounts is twofold. He is to ascertain firstly whether payments charged to an appropriation are supported by vouchers or proofs of payment. This secures to the Assembly the guaranty of a very minute check exercised by an independent auditor, the minuteness of that check being only relaxed to save the needless repetition of mere clerical labour of casting and computation, when departmental arrangements, in his opinion, afford sufficient security for the correctness of those operations. Revenues of the Government are also audited and their deposit in the Treasury is verified.

He is to ascertain secondly that the money expended has been applied to the purpose for which the Assembly granted it and that control is exercised to prevent over-expenditure of an appropriation. He must be satisfied of the legality of payments under the provisions of The Audit Act, other statutes, or any special directive currently in force.

The objective is to ascertain that the Public Accounts show the true financial details in order that they may be submitted to the Assembly in accordance with the requirements of The Audit Act.

The Audit Act provides a number of specific audit directions but cannot provide for all considerations due to the complexity and volume of business transactions. A great and onerous responsibility rests upon the Auditor to achieve the maximum results that satisfy the intent of The Audit Act. These results can only be obtained by the exercise of careful and intelligent interpretation and administration of the Act and the energetic and continuous application of its provisions.

Of growing importance is the audit of separate Boards, Commissions and other emanations of the Crown. Here, in particular, commercial accounting principles and practice are followed. In most instances test audits of revenue and expenditure are conducted and a verification of Assets and Liabilities is applied to the year end statements.

In conclusion it may be stated that the Government of Ontario is conducted by the overall direction of the Legislative Assembly which delegates authority to the Executive Government by way of examination and sanction of every appropriation of public expenditure for the purpose of maintaining the many departments of Government service during the fiscal year. It is apparent that the authorizing of suitable appropriations of public funds to accomplish the programme of the Government is of a permissive nature. Once the permission has been granted and the expenditures are undertaken there devolves upon the Auditor as officer of the Assembly the difficult and important task of the administration of The Audit Act. This duty culminates when the Treasurer, on behalf of the Auditor, lays before the Assembly the Public Accounts of the Province accompanied by any report the Auditor sees fit to present. At this time the cycle of a fiscal year has been completed and the Legislature which authorized the appropriations for the conduct of the Government is informed by their officer

how the monies have been spent and whether generally the financial administration of the public service has been orderly.

MR. BROWN: Do you feel that The Audit Act is properly constituted to give you the authority to prepare the Public Accounts, independent of the Treasurer?

MR. COTNAM: Since I have been Auditor I made my own decisions. Nobody has instructed me. I have been given a free hand. The Audit Act may say the Treasurer may ask for this but in actual practise that hasn't been so. I've tried to keep the records of the province up to a satisfactory standard.

MR. BROWN: There are no restrictions in the Dominion Act as to what the auditor may do. In spite of the wording in our own Act, Mr. Cotnam has carried out his duties as he saw fit. I do believe, however, that he will agree that the wording is not satisfactory.

MR. TEMPLE: I don't think we should ask the Auditor that. The answer is self-evident in his remarks.

MR. BROWN: I'm saying the Act should be amended before the next session.

MR. HAMILTON: What sections?

MR. BROWN: Sections 30 and 33.

30. Besides the appropriation accounts of the grants of the Legislature, the Auditor shall examine and audit, if required to do so by the Treasurer, and in accordance with any regulations that may be prescribed for his guidance by the Treasury Board, the following accounts,—

- (a) the accounts of all receipts of revenues forming the Consolidated Revenue Fund;
- (b) the accounts current with the several banks and financial agents of the Province;
- (c) the accounts relating to the issue or redemption of loans; and
- (d) any other public accounts which, though not relating directly to the receipts or expenditure of the Province, the Treasury Board may direct him to examine and audit.

The Act places certain restrictions which the Auditor in his wisdom hasn't seen fit to follow.

MR. FROST: I must admit I haven't read the Act.

MR. BROWN: In reporting to the Legislature, the Auditor is reporting to the people. If I prepare a statement for a corporation, I do so for the shareholders. In Federal accounting the report is to the House of Commons.

MR. COTNAM: Section 29 says that if the Treasurer does not present at the time prescribed any report to the Assembly, then the Auditor shall do it.

MR. FROST: I am merely the medium.

MR. MACLEOD: Mr. Brown's contention is that it is not an audited statement.

MR. BROWN: I contend that the Auditor should not have to submit to the Treasurer.

MR. FROST: As far as I'm concerned the Auditor is quite independent. I merely do what he tells me to do.

MR. COTNAM: In six of the nine provinces, there is direction in their acts that the Auditor shall prepare and present his reports to the Treasurer.

MR. CALDER: Is there any province which has something in its act, Mr. Cotnam, which we should have?

MR. COTNAM: I can only repeat there are no restrictions to prevent me from making sure our accounts are properly audited.

MR. LEAVENS: As the Act stands is there anything to prevent you from doing this?

MR. BROWN: There is a provision in the Act which says the Treasury Board can interfere, and they would have the final say in connection with that matter.

MR. COTNAM: That is correct, but if, on the other hand, the Treasury Board should overrule the Auditor, then the Auditor has a provision to present to the Assembly the Treasury Board's overruling. So it is always the privilege of the Auditor to bring it before the Assembly, where the Auditor has been overruled.

MR. BROWN: Have you ever been overruled?

MR. COTNAM: Not up to today.

MR. BROWN: I notice in the report made by the Auditors, they stated that not during the year has he ever been overruled in any of his recommendations by the Treasury Board.

MR. CALDER: Mr. Cotnam has never been overruled by the Treasury Board here, by section 31 the Treasury Board may direct in what manner and with what detail the Public Accounts and statements therein are to be prepared, and may make regulations in regard thereto for the guidance of the auditors who shall carry out same.

Mr. Cotnam, are you well satisfied with the manner in which the public accounts are now presented?

MR. COTNAM: Mr. Chairman, I think the public accounts are correct, and

I think they do show the financial position of the province. They might be made prettier by a lot of clauses and sentences, but I think, in effect, the material is there, and I think that they are correct in every detail. I know of nothing that would improve them in correctness.

THE CHAIRMAN: How about the physical make-up?

MR. COTNAM: The physical make-up is a legislative matter, which we are discussing. I do not profess to be perfection.

MR. BROWN: We will deal with that later. Mr. Cotnam, I think you will agree, is doing all right in spite of The Audit Act.

MR. COTNAM: I do not see anything in The Audit Act to restrict me. There may be certain information which the Treasurer may ask for, or something he may ask me to do, but the actual fact is he has not done so as yet.

MR. BROWN: There is nothing in The Audit Act which says that you shall sign the balance sheet?

MR. COTNAM: No.

MR. BROWN: I do not know why that is left out. To me it seems something which should be added to The Audit Act.

MR. OLIVER: What was the question?

MR. BROWN: I think there was nothing in The Audit Act which required the Auditor to sign the balance sheet or the statement of revenues and expenditures which, to me, is one thing which, above everything else, should be in there. Possibly there may be some discussion on that point.

MR. OLIVER: Before we leave The Audit Act, Mr. Chairman, I want to refer to section 30 of The Audit Act. It seems to me, upon reading that section, it says:

"30. Besides the appropriation accounts of the grants of the Legislature, the Auditor shall examine and audit, if required to do so by the Treasurer, and in accordance with any regulations that may be prescribed for his guidance by the Treasury Board, the following accounts,—

- (a) the accounts of all receipts of revenues forming the Consolidated Revenue Fund;
- (b) the accounts current with the several banks and financial agents of the Province;
- (c) the accounts relating to the issue or redemption of loans; and
- (d) any other public accounts which, though not relating directly to the receipts or expenditure of the Province, the Treasury Board may direct him to examine and audit."

It would seem to me, as a layman, that those words, "be required to do so by the Treasurer" are surely not necessary in that section. It is the bounden duty of the Auditor to examine the accounts, and prepare a statement of the revenues, the money in the several banks and with the financial agents of the Province.

According to the reading of this section (No. 30) he would only be required to do that if it was suggested by the Treasurer of the Province of Ontario. I cannot see the purpose in having those words there at all. Certainly, in my judgment, they should be stricken out. I think the Auditor should be free. It is his duty to audit these accounts without any direction at all from the Treasury. That is his explicit duty. I think the Treasurer would agree to that.

MR. BROWN: The same thing will apply to section 33, as Mr. Temple has brought out.

MR. DENNISON: On the last point raised by Mr. Brown; The Municipal Act requires this to be done in the case of a municipal auditor, and why should we not be just as efficient and just as business-like in our provincial level, as we are at the municipal level?

THE CHAIRMAN: What are your views, Mr. Cotnam?

MR. COTNAM: Gentlemen, there is something to be said, as there are two sides to every story. I do not want to be dogmatic about it, but I say there is nothing restricting me there.

MR. OLIVER: Do you not believe that section 30, in the language which is now employed, could restrict you in your duty?

MR. COTNAM: No, I do not think it would.

MR. OLIVER: In what way?

MR. COTNAM: Well, section No. 30 reads as follows:

"30. Besides the appropriation accounts of the grants of the Legislature, the Auditor shall examine and audit, if required to do so by the Treasurer, and in accordance with any regulations that may be prescribed for his guidance by the Treasury Board, the following accounts,—

- (a) the accounts of all receipts of revenues forming the Consolidated Revenue Fund;
- (b) the accounts current with the several banks and financial agents of the Province;
- (c) the accounts relating to the issue or redemption of loans; and
- (d) any other public accounts which, though not relating directly to the receipts or expenditure of the Province, the Treasury Board may direct him to examine and audit."

It does not say he cannot do it, if the Treasurer does not require him to.

MR. OLIVER: What purpose do these words serve, "if required to do so by the Treasurer"?

MR. COTNAM: I think perhaps if you go back far enough you will find that the Auditor cannot get around to all these things, and the Treasurer, in his wisdom, might decide which one of these things he would have in view, perhaps, first. That would be my interpretation of this.

MR. OLIVER: Not in the language set out in section 30, concerning the ordinary duties of the Provincial Auditor.

MR. COTNAM: Yes, but I think you would probably have to use some judgment as to which things you were going to tackle first. In other words, you—

MR. OLIVER: It is a question of priority?

MR. COTNAM: That is right; I think that is the answer.

MR. FROST: Mr. Brown, may I ask you a question? In the Dominion Act—I believe that this Act was really one which was drawn many, many years ago. It goes back to—

MR. COTNAM: Back to 1886.

MR. FROST: I may say that as far as the Government is concerned, not only are we anxious but we think it is most essential that the Provincial Auditor should be absolutely independent.

MR. BROWN: That is right.

MR. FROST: There is no difference on that point. I would like to ask Mr. Brown this question. Is the Dominion Act any more up-to-date, if I may put it that way, than our act here?

MR. BROWN: I believe it is. The Dominion Act was amended in 1931. I have taken extracts from it, but I did not know we would be dealing with The Audit Act this morning. I thought we might be dealing with the Public Accounts themselves, this morning, but I did have struck off the sections relating to the audit procedure under the Dominion Audit Act. In practically every section of the Dominion Audit Act, it says that "the Auditor-General 'shall,'" without qualification. He "shall" visit and examine from time to time the various accounts; the Auditor-General "shall" be subject to the provisions of the Audit Act; the Auditor-General "shall" from time to time examine the accounts and the records in respect thereto—and so on.

Copies of this can be made available to all members of the Committee, but I do not think you will find that in this Act any provisions anywhere where it says he "shall, subject to the request of the Treasury or the Minister of Finance." I think this Act has been brought up-to-date.

MR. COTNAM: It was revised extensively in 1931.

MR. BROWN: That is right. Another thing that is wrong with the Act is this: that the first few sections deal with the Auditor; and then you carry on and three or four sections deal with the Public Accounts, without any reference to the Auditor at all, then you came back to the Auditor, and then to the Public Accounts again, and it seems to me that a completely new act is required for the consolidated funds of the province, and for the audit procedure.

I do not know as I have anything more that I can say, except I would like to get these matters consolidated. I mean, there it is; it is right or it is wrong. I maintain that it is wrong. I think the Act should be mentioned in that way, that the duties of the Auditor, as the Honourable Provincial Treasurer (Mr. Frost) has pointed out, should be absolutely unrestricted, and he should not be subject to anyone.

He is appointed in that way, and he cannot be dismissed without just cause, and in that way they have set him apart as a branch of his own, but under the Act, he is subject to restrictive action. I feel there should be a provision in the Act under which he should certify as to the correctness of the Public Accounts.

Possibly the hon. Provincial Treasurer (Mr. Frost) can say—if my suggestion meets with the approval of the Committee—just how we can get that consolidated, so that it will be workable, and then we can move on to something else. In the meantime, I will sit down.

MR. FROST: All I can say is we are listening to everything that is being said here. The Government is always anxious to avail itself of the very best procedure, and the very best reform. That is why we are such a progressive government. We are listening to everything that is said here, and we will give it all very deep consideration.

MR. DENNISON: Would this be a plan for reaching agreement on this thing? Would it be practical for us here to-day, and in a subsequent meeting, to vote on this question regardless of which side of the House we are on, and make a decision purely on the evidence brought before us by the Auditor and by Mr. Brown, and by others who may be before us? We could agree in principle on certain things, and then forward that to your department, Mr. Minister (Mr. Frost) for consideration.

MR. FROST: It is for the Committee to make a report, of course.

MR. DENNISON: Sometimes—

MR. FROST: I would not influence the Committee in any way.

MR. DENNISON: Sometimes in these meetings the Government lays down a line, and the Opposition lays down a line, and we have to follow that line. Now, Mr. Chairman, if you would just remove the bars in that respect in regard to the government members of this Committee, I am sure that I can assure you, from the Opposition, that we will do the same thing, and arrive at a just decision in a practical, up-to-date, business-like decision.

THE CHAIRMAN: Gentlemen, we have heard Mr. Brown and Mr. Oliver, and to the effect that we should delete those words "if required so to do," as being unnecessary. We have heard Mr. Cotnam—(to Mr. Cotnam): Did I understand you to say that you feel it is worthwhile to have those words in there?

MR. COTNAM: No, Mr. Chairman, I did not say that. I said it was a question of priority.

THE CHAIRMAN: It does not give a direction?

MR. COTNAM: No, I did not.

THE CHAIRMAN: It does not give you a direction as to the priority, by having them in there.

MR. COTNAM: I might be asked for a priority—

THE CHAIRMAN: If it was not in there?

MR. COTNAM: That is right.

THE CHAIRMAN: Do you feel it weakens or strengthens it by having it in there.

MR. COTNAM: My feeling is it does not restrict me.

THE CHAIRMAN: You feel it does not restrict you?

MR. COTNAM: No.

MR. OLIVER: I would say on that point, it does not restrict the Auditor, but is it correct in the present set-up?

I will go that far. But this possibly would be a restriction on the Auditor, according to the language of section 30. It is quite possible that the Auditor would be restricted in the performance of his duties, if the Treasurer carried out the powers that he has, under section 30. It is certain the Auditor would be interfered with in the discharge of his duties as public official of the Province. There is no question in my mind about that.

THE CHAIRMAN: Read that, in connection with section 6 (b) "make rules and orders, for the guidance of persons in making up—"

MR. OLIVER: That does not remove it.

MR. BROWN: That is only applicable to an internal audit.

MR. OLIVER: The Chairman will agree with me that subsection "b" of section 6 does not remove the Treasurer from the authority given him under section 30. In other words, in spite of that section, he can still direct the Auditor to do things.



MR. BROWN: I feel, Mr. Chairman, that if I were the Provincial Auditor, I definitely would not want that in this Act, because I would not want to be subject to any suggestion by any member of the Government. He will say he is not going to be, but, as Mr. Oliver pointed out, he might.

MR. CALDER: Mr. Chairman, it seems to me we are getting bogged down in this reference to procedure. How would it be if this Committee were to resolve that at the next Session they would reconvene to consider drafting another Audit Act. The Department would certainly want to prepare a draft, Mr. Brown might want to prepare one, the legislative council might want to submit a draft. I do not think we will settle it to-day. Then I think we could report these at the next Session of the Legislature.

THE CHAIRMAN: We have a record of the deliberations to date. I presume the hon. Minister (Mr. Frost) will take them into consideration, and if this Committee wants to make any formal recommendations, the Chairman is open to receive them. If not, the hon. Minister (Mr. Frost) may want to take it into consideration, and perhaps amend the Act, as a result of these deliberations.

MR. BROWN: I rather disagree with Mr. Calder in this regard, that is, to wait until next Session to bring in an Act which would have to go through the formalities of approval, and it might then be too late. I would like to see the 1949 accounts properly certified. It seems to me, if we wait for a year or so, we will be presented with the accounts for 1949 not certified, because the Public Accounts are presented to us on the first day of the Session.

THE CHAIRMAN: What is Mr. Cotnam's answer to the possibility of or lack of possibility of that?

MR. BROWN: If we can get those signed under the present Act, even if it does not say he "shall," I think it would be much better. The Act only says he shall "deliver." We must assume the statements are correct.

THE CHAIRMAN: We will hear Mr. Cotnam on that.

MR. COTNAM: This is the first intimation I have had from the Assembly, of whom I am a servant, that the Public Accounts were not as I have always estimated them to be, a perfectly good vehicle for providing the Legislature with a statement of the financial affairs of the Province.

I have listened to what has been said this morning, and it is very difficult for the members of the Committee to tell me what I shall or shall not do, but I think I would take that into consideration. If it felt that we are not doing all we can in order to make it clear, I have no objection to serving the Assembly in any way I can.

MR. BROWN: You would have no objection to signing the Balance Sheet?

MR. COTNAM: I would want to make reservations as to what I would want to certify to. I would qualify it very extensively.

MR. BROWN: You would prefer to report the matters which you think would require qualification, and then, subject to that report, you would certify it?

MR. COTNAM: I would have no hesitation whatever in doing that.

MR. BROWN: That will give us at our next Sessions, what I think is proper—

MR. COTNAM: That is right. I would also take into consideration the remarks made concerning The Audit Act. I have gone ahead, perhaps in spite of some of the things you have suggested are in the Act, and done what I thought was a good job of auditing. I would be only too happy to try and satisfy the Legislative Assembly.

THE CHAIRMAN: Could we move along then to another point of discussion now?

MR. CALDER: It is satisfactory to me, but since it took the administration one year after coming into office to get down to amending The Federal Act, it may very well take us a year to do a proper job on this.

I realize that the hon. member (Mr. Brown) is a mile ahead of the rest of us, not only in technical knowledge, but in his keenness on the subject. I think he should not be disappointed if it takes a little time for us to catch up to him.

THE CHAIRMAN: I think he should be happy if Mr. Cotnam was certifying the accounts, which he can certify, but not put his name to anything, unless the qualifications are set forth. I think that is apparent to any critic of the present situation.

MR. MACLEOD: Would Mr. Calder be prepared to introduce a motion, requesting the government to prepare certain amendments to be brought in, as has been indicated, at the next Session?

MR. CALDER: Yes, I will do that. Mr. Chairman, I move that the present Auditor, the hon. Provincial Treasurer (Mr. Frost), the Legislative Council, and the members of this Committee, together with any other interested persons, be invited to submit to the Public Accounts Committee at the Session of 1950, a draft for the comprehensive re-writing of The Audit Act.

DR. CHESTER WALTERS: Mr. Chairman, will you permit me to make a statement? I think it would be interesting to the members of this Committee to know this: as a result of the Dominion-Provincial Conference held in 1945 and 1946, a committee of experts, shall I call it, from the Dominion Government and the Provinces, was formed. I was to have been the Chairman, but my duties here prevented me from accepting that post and Mr. H. J. Chater accepted the position of Chairman.

This Committee is engaged upon a study of the proper method for the presentation of the budget, the estimates, the public accounts, and certain other matters which Mr. Calder mentioned. The Committee is composed of men with wide experience. They include certified public accountants, chartered accountants, and graduates in commerce and finance—

A MEMBER: Are there any A.P.A.'s on that Committee?

DR. WALTERS: No, there will not be any.

They are engaged in this particular study, and to run ahead of that study might result in some conclusions being reached here without getting the benefit of the combined experience of men who serve not only the people of Canada in their capacity as civil servants, but of the top-ranking career men, of all the provinces of Canada.

Without suggesting anything—and I hope it is not an impropriety for me to give this information—if you carry on without taking advantage of the research by these men who are capable of doing a good job, you probably will make decisions without all the facts.

MR. NIXON: Did you say they had been studying this matter since 1935?

DR. WALTERS: No, since 1946.

MR. NIXON: I mean, 1945.

DR. WALTERS: This is really a continuing committee, Mr. Nixon. It was set up originally in 1939.

MR. NIXON: I was going to say, it is as bad as the Hope Commission.

DR. WALTERS: The only thing is, these men know what they are doing. I do not know about the other people. They are all men who are all experts in their lines.

MR. CALDER: I did not know about that very valuable committee when I put forward my motion. Their advice would indeed be valuable to us. Surely we could have a draft by next year.

THE CHAIRMAN: My reaction upon hearing Mr. Calder's motion was this: we have a verbatim record being taken of this, and both Mr. Cotnam and his officials, and Dr. Walters and his officials have heard the trend of the discussions, and since the responsibility for bringing down an Act is that of the administration of the day, I think it might properly be left in their hands. If we are going to recommend changing the Act, they are the competent persons, in whose hands to leave it. I do not think many of us would be competent to add much to the over-all discussion.

MR. MACLEOD: Mr. Chairman, I agree with you up to a point, but I do feel that this matter would be expedited if the Government would consider setting up a Select Committee of the Legislature, which could include Mr. Brown, Mr. Wismer, the financial critic of the Official Opposition, and others, to go into this matter and to bring in a report to the next Session of the Legislature. I think that would be better than the method proposed by Mr. Calder, of everybody bringing in amendments, or suggested amendments to the Act.

We have had some very useful experiences with that type of Committee.

We had a Select Committee set up to amend The Election Act, and they brought in recommendations for a very excellent Act, which is in the archives some place; nothing was ever done about it.

But in regard to this particular subject matter, it would be very useful to have a Select Committee of the Legislature working on it between now and the next Session, and the Committee could have the benefit of the counsel and advice of the Provincial Auditor, the Deputy Provincial Treasurer, the Provincial Treasurer himself, plus some of these other people to whom Dr. Walters referred.

It can only be a recommendation from the Committee, but I think a small Committee of seven or nine members would do a good job on this, and we could expect a report at the next Session of the Legislature.

MR. BROWN: I think we are very appreciative of the information given to us by Dr. Walters in respect to the Committee to which he referred. I am sure they will do a great deal to standardize the accountancy methods and procedures, and the presentation of public accounts throughout all of the provinces.

DR. WALTERS: That is the aim—uniformity.

MR. BROWN: Yes, but I cannot see that our decision would be weakened at all by dressing up our own accounts, in the meantime. It is very doubtful if this investigation of procedure which is going on now will deal with such matters as we have been discussing, under The Audit Act. It is more likely they are just standardizing the accounts, the same as the municipalities, and as the Department of Municipal Affairs has done for the Province of Ontario, and I think they have done a very excellent job in this standardization of accounts, so that each little hamlet has its accounts prepared in the same manner and by the same method as the City of Toronto.

In supplementing that, I would like to see this Committee make some form of recommendation to the Government to the effect that The Audit Act be amended to conform strictly with audit procedures. Possibly we can deal with that section now, or maybe, Mr. Calder, we can present one all-embracing resolution after we get through with the discussion on all these matters which are to come before this Committee to-day.

I do feel that this Committee, if it is going to function at all, should present to the Government some form of recommendation. Otherwise, everything we do may be washed out.

MR. MURDOCH: Mr. Chairman, it seems to me that progress in the discussions in relation to the situation is being very well taken care of. Apart from what we say to-day, work has been going forward on this, and there is no doubt in my mind that the hon. Minister (Mr. Frost) and the officials concerned, will consider all the things mentioned here. They are all written down, and naturally we will benefit from their study. I do not think we should put them in a strait-jacket. I think some of the things discussed here will be followed.

MR. BROWN: I do not think we are putting anybody in a strait-jacket.

THE CHAIRMAN: We can only recommend that the Government do this or that. Mr. Calder's motion was that a Committee be set up to draft some suggested amendments.

MR. MURDOCH: We have Mr. Brown's idea, and Mr. Calder's idea, and the opinions from the officials, and Mr. MacLeod mentioned a Select Committee of the Legislature, which is all very good in its place, but I think the matter right now is being well taken care of.

MR. MACLEOD: If that was the case, we would not be here.

MR. CALDER: Perhaps I should make the astounding statement that I have never discussed this with Mr. Brown or anybody else. We came down here, as Mr. Dennison indicated, in the hope that we could do some good. That explains the slight difference between Mr. Brown and myself. In any recommendations which are to be made, I think priority should be given to Mr. Brown, because he knows precisely what he wants in this thing.

MR. BROWN: I would be content with a recommendation from this Committee.

MR. DENNISON: I will second that motion.

THE CHAIRMAN: Along what line, Mr. Brown?

MR. BROWN: My suggestion is there is no use in making half a dozen recommendations at this stage. If we can consider what we have discussed to-day, and what we will discuss at subsequent meetings, and make one recommendation, "A", "B", "C", "D", and "E".

THE CHAIRMAN: To-day's recommendation revolves around the bringing The Audit Act up to date.

MR. DENNISON: Suppose we start with the agenda. We have finished number five, pretty well. Supposing we go back to number one, and start over again, and go over this point by point.

MR. BROWN: Mr. Chairman, you will notice on the agenda, the first question I have asked there, which possibly can be answered, is "Is it a Balance Sheet?" It is called a "Balance Sheet", and possibly Mr. Cotnam can tell us that it is a Balance Sheet, but my contention is, as I stated in the House, that, so far as I can see, it is simply a statement of Net Worth, balanced by a figure of surplus of \$86,000,000. The reason for that statement is because I cannot find anywhere in the Public Accounts a continuing Surplus Account, which would make this a Balance Sheet.

That is the first question, and I would like to ask Mr. Cotnam, was it a fair statement in fact that I made in the House, that it is not a Balance Sheet?

MR. COTNAM: I would answer Mr. Brown this way: I think definitely it is a Balance Sheet of the Province. I think what Mr. Brown has reference to is a subsidiary statement to the Balance Sheet, setting forth details of the Surplus

Account from the beginning of the year to the end. But that does not necessarily have to be on the Balance Sheet, as I think Mr. Brown will agree.

MR. BROWN: Do you know of any case where it is not?

MR. COTNAM: I think I could get you very many cases where the surplus was not followed through from the beginning to the end.

MR. BROWN: I would like to see some, because this is the first time in thirty years' experience I have ever seen a Financial Statement drawn up which did not do what all municipalities are required by law to do. It may be peculiar to the Province of Ontario, or to other provinces—I am not confining it to the other provinces—I am not confining it to the Province of Ontario—but in all municipalities, statements are prepared in another form. If I could be convinced by seeing them, I will be satisfied.

MR. COTNAM: Are you not willing to go along with me on this, Mr. Brown, that there are many financial statements of organizations which show their Surplus Account "As per schedule so-and-so," and then put the balance on the Balance Sheet.

MR. BROWN: Not to my knowledge.

MR. COTNAM: Oh, I think it is—

MR. BROWN: I do not know of any corporation statement that is prepared, which does not show Surplus Account for the surplus at the beginning of the year, and the profits or losses, as the case may be, brought down to arrive at the surplus at the end of the year.

MR. COTNAM: I must confess I cannot go along with you on that. I think there are very many Balance Sheets—

MR. BROWN: I will be convinced by seeing some.

MR. COTNAM: I still cannot agree.

MR. FROST: That does not apply so much to financing. After all, that is in regard to corporation financing. What has that to do with public financing? It is hard to say. Let us consider this building, for instance. What is this building worth? What value can anybody place on it? It is entirely different from, say, Massey-Harris, because they have machinery and equipment beside the buildings.

MR. MACLEOD: Ask Miss McFarlane.

MR. FROST: She does not know what the building is worth.

MR. BROWN: That is not the question. That is not what constitutes a Balance Sheet. A Balance Sheet should be a statement of receipts and disbursements of revenue and expenditures, as the case may be, bringing them into the

Surplus Account, and having that surplus account balanced into the Balance Sheet.

THE CHAIRMAN: Possibly Mr. Cotnam, who is dealing with public financing, and you, looking at it from the corporation financing point of view, may be looking through a different pair of glasses.

MR. BROWN: I am talking about municipal accounting. Take the City of Toronto, for instance; I think we should make up our accounts, the same as the City of Toronto.

MR. FROST: That is rather an unpopular statement to make here.

MR. BROWN: Well, let us take London, then.

MR. FROST: It would be alright, if you mentioned Kitchener.

MR. BROWN: Or let us take the town of Lindsay—

MR. FROST: They have a \$40,000 deficit up there, so they tell me.

The point is this, in regard to "Surplus Account." Consider all the assets throughout the province. What are the values? They are not realizable. Nobody wants to realize on them. All we are interested in is our cash position, what revenue we secure and what expenditures we have, and how we stand at the end of the year.

I think that showing a Surplus Account of \$86,000,000 is quite misleading. We could re-value the different assets, and it would show on the Surplus Account as a half a billion dollars, but what is the value of that?

MR. BROWN: It would tie up with the other accounts, to indicate they are correct.

MR. COTNAM: Mr. Brown, I would like to take this document (indicating), and call it "Jurisdiction 'A'," for the purpose of the record, if I may. They do, as you suggest, that is, show their surplus from the beginning of the year to the end, and so on. But there are certain things they do not do, which, if they did—as the Province of Ontario does—would increase their liabilities and reduce their surplus by over \$100,000,000.

MR. BROWN: Would we not be entitled to know that?

MR. COTNAM: It is not there, yet this is supposed to be perfection.

MR. FROST: Is exhibit "A" the Dominion Government Act?

MR. COTNAM: It is "Jurisdiction 'A'," as far as I am concerned.

MR. BROWN: I am not upholding the Dominion Government Act.

MR. FROST: The Dominion Auditor General is a lawyer, I believe. He is not an auditor at all—is he?

MR. BROWN: More is the pity. I would be satisfied if we supplemented our Public Accounts with a statement of surpluses. Is that asking too much?

MR. COTNAM: No, I do not think it is asking too much.

MR. FROST: Except this, that it is misleading to the man on the street. If you say this is in the Public Accounts, and if we tie it up to our cash position, it makes it appear we have \$86,000,000 in the bank. People look at the surplus and say "Oh, they have \$80,000,000 there." Actually the surplus we show in the account, as computed on the basis of the value of our assets, which, while they are valuable to us, have no cash value for anybody else. The assets of this province are simply intangibles. It is the people of the province, the revenues of the province, and the disbursements of the province, which is the way we arrive at our figures. I must admit, that to me anything that is other than our cash position is misleading. That is my view. The auditor may disagree with me, and Dr. Walters may disagree with me, but that is my view of it.

MR. BROWN: I may say I agree with you. If we did this correctly, we would have two Balance Sheets.

MR. FROST: Actually there is a sheet in there for capital balance.

MR. COTNAM: I would not agree with my friend, Mr. Brown, on that score, either.

MR. FROST: Mr. Brown, I would say that my experience in the Treasury Office has been considerable, and it goes back some twelve years, when I was a member of the Opposition. The great difficulty in public financing is to show the people a true picture, and to show the people your financial resources, and to have people judge what their position is going to be in the light of what you have to buy things with. When you get down to it, it is as simple as that. Anything else is misleading. Anything else takes our people up a blind alley. I would say that many of the organizations who come here asking for money had but very little idea of what the resources of the province are. Many people in this province think that we can raise unlimited money, that it is a simple matter to get \$100,000,000 or \$200,000,000 any time that we like, that it is simply nothing at all.

It is a tremendous thing to get that money, and the fact is anything we can do to simplify the picture, we would like to do, so that a person can pick up the accounts and see quickly that we took in so much money, and paid so much out, and see easily what the balance is. Those are the things which help you in public financing.

Personally I would just as soon take all the assets, such as this building, and write it out of the picture altogether. It is the capacity to pay which counts. However, do not let me interrupt you further.

MR. BROWN: Do I take it you would like to see the Balance Sheet out of Public Accounts altogether?

MR. FROST: To me it has been meaningless every year.



MR. BROWN: I cannot see how any sane person could consider that because you showed a surplus of \$86,000,000 that it represented \$86,000,000 in the bank.

MR. FROST: People see that, and they say, "You have an over-all surplus of \$86,000,000; let us go out and spend it." You know as well as I do that is not a surplus at all.

One of Mr. Cotnam's difficulties, I imagine, is this: you ask him to certify all of these accounts, and he has to put in qualifications; how can he certify as to the value of this building, or the value of our road system?

MR. BROWN: He is not a valuator.

MR. FROST: There you are. It is very difficult.

MR. BROWN: That ties in again. Whether provincial, municipal or Federal, the Auditor need not require to be a valuator. He accepts the values as laid down in the accounts, whether they are depreciated or not. I think this provision as to surpluses has to show them. At least, I think as long as we do it, the members of the House are entitled to a reconciliation, to find out why the surplus was \$40,000,000 at the end of one year, and up to \$80,000,000 at the end of the next year.

MR. FROST: Mr. Cotnam can explain that, and in his explanation, he can show you why I question the value of such a statement. The valuable statement in this book is the statement on page 8, the statement of receipts, your cash receipts, cash disbursements, and the statement of your net gross debt—indirect debt. Those are the things which really count, when you want the "dough" downtown. That is what they look at.

MR. BROWN: I think if we do show it, we would find out where the figures came from.

MR. COTNAM: As far as I am concerned, the reconciliation of the surplus is not difficult, and I have no objection to showing it.

MR. FROST: Show it to Mr. Brown. He, being an auditor, would be the one person around here to understand it.

MR. BROWN: No, I do not agree with that. I am sure several members of this Committee have wondered where that figure of \$80,000,000 has come from in the Public Accounts. I think we are entitled to know by what process.

MR. FROST: Give the details of that reconciliation.

MR. BROWN: I have a copy of it, prepared by Mr. Cotnam. For the information of this Committee, the statement of revenue and disbursement which, as I maintain, are receipts and disbursements—they are not revenue and expenditures at all—is not on the same basis as the Balance Sheet. In other words, in order to get the Balance Sheet properly, Mr. Cotnam has, and rightly so, included Accounts Receivable, Investments, and so on. That is where I maintain we should have a reconciliation between the surplus at the beginning of the

year, and the surplus as shown for the year, and all these adjustments, to arrive at that figure.

That brings us down to the discussion of an account which was certainly very misleading to me, and possibly to several members of this Committee.

I do not know whether you have taken your 1947 Balance Sheet and compared it with 1948, but in the 1947 Balance Sheet there is an asset there called "Dominion of Canada subsidy," which looks for all the world—and no one could help but think—that was the amount of money recoverable from the Dominion of Canada. It amounts to \$56,000,000. On the other side, it shows a surplus as capitalization of this subsidy. Anyone looking at that Balance Sheet, as at the end of 1947, would say that it is money coming from the Dominion of Canada, and when they pay us, we can do plenty. But in the year 1948, it is eliminated from the Balance Sheet completely.

THE CHAIRMAN: What does Mr. Cotnam say about that?

MR. COTNAM: I have this to say about that: that asset was placed on the books in 1924, and it represented the capitalized value of the subsidy, which we received, at 5 %. When you capitalize it at 5 %—it is pretty hard to get 5 % on your money to-day—and I think the thing is meaningless, especially in the light of to-day's interest rates. I think it is preferable to eliminate it from the Balance Sheet. I think I would be supported in that by most of the members of the Committee.

MR. BROWN: I agree. I do not think it should have been there in the first place.

MR. COTNAM: I did not put it there, and I am hoping to see it disappear.

MR. MACLEOD: Who did put it there?

MR. COTNAM: In 1924? I am unable to answer that question.

MR. FROST: I think that was in the day of the Farmer Government.

MR. OLIVER: Not at all.

MR. FROST: Mr. Brown, that shows you that that Balance Sheet is of a misleading nature—that particular sheet. I have always ruled that thing out of my calculations. I cannot see anything to be gained by taking that statement and weaving it into your cash position. It is misleading. I must admit that the value of the asset—and I think Mr. Cotnam agrees—that the values of the assets are false; they were arrived at 25 years ago, and have been subject to depreciation, and they bear no relation to to-day's values at all.

MR. BROWN: Are these assets reduced, and the debenture debt retired?

MR. COTNAM: No, that is not done. The capital value of the subsidy, if you put that on a present-day basis, capitalized, say, at 3 %, instead of being

\$55,000,000, it would be about \$90,000,000, whereas the actual subsidy is about \$3,000,000. It would take \$100,000,000 to get that \$3,000,000.

MR. BROWN: An item like that has no place on a Balance Sheet at all.

MR. COTNAM: I agree.

MR. MACLEOD: Would you hazard a guess as to why it was put there?

MR. FROST: I can tell you.

MR. COTNAM: It was put there by every province in Canada at one time. It is still in the Balance Sheets of some of the provinces.

MR. FROST: I think I can tell my friend why it was put there, not only in this province, but in some other provinces. If you go back to the financial history of this province, you will find at the turn of the century we owed no money. The net debt was practically nil. I think when the Whitney Government came into office, the net debt was around \$5,000,000.

Then the net debt started to grow every year, with the building of roads, and the expansion of the province. With the result that in 1923 or 1924, the net debt was getting up to what were perhaps alarming proportions for those days. I imagine if you went back, you would find that the net debt was up to nearly \$100,000,000. I am just taking that figure out of the air, however.

People were then saying: "Your debt has gone up. What have you to show for it?" So they created this Balance Sheet to show the value of the assets which has been created.

The highway system first came in back in 1917 or 1916—

MR. DOUCETT: In 1916.

MR. FROST: Yes, in 1916, and great expenditures were made on highways, and there was justification for the debt going up. All of the provinces started to do that, and indeed, perhaps, the Dominion Government started to do it also. It would show to the people that against a debt they had a big asset. That was the position.

MR. MACLEOD: Have all the other provinces eliminated it now?

MR. COTNAM: It is still in at least one of the provinces. Most of them are trying to get it out of there, but it is not easy.

MR. DENNISON: Where would the members of the House get the details of the funded debt, and the unfunded debt?

DR. WALTERS: They were published in the budget address.

MR. COTNAM: There is a schedule in the Public Accounts which gives the details of the funded debt.

MR. MACLEOD: It is at the end of the Budget Speech?

MR. FROST: Going back to the manner of that statement, and the Balance Sheet. You recollect that in the Budget Address itself there was an extended reference to the increased value of our assets. The difficulty is to place a value on them, but it is immensely more than it was a few years ago.

MR. DENNISON: Would this not be of value to the hon. members of the House, if we had a set, fixed method of retiring expenditures on the highways, and set out a certain rate each year, and on the other hand, had a set, fixed method of retiring by means of sinking funds the public debt, and if we stuck to that, right down through the years, then the Balance Sheet would mean something, would it not?

MR. FROST: We have been doing that. Of course, the perfect position is when you create no new net debt. That is what our sinking fund arrangement is for, to provide for the payment of approximately \$500,000,000. That was done when we came into office. If we went ahead and balanced our budget, in fifty years it would be paid off, with the sinking fund. But in an expanding province of this sort, it is impossible to keep your debt static, for the reason that you build highways, and you have to borrow, and you have to decide if you are going to pay all that in one year, or spread it over a period of years. What we have been endeavoring to do is to retire the old debt on the basis of our sinking fund, and we hope, too, as the net debt is increased, to increase our sinking fund, so we are always paying off on our debt.

I would say one of the great difficulties with public financing in this province, and one of the reasons we have such a large debt, is that governments in the past did not tax for the retirement of debts they were creating. I think my friend Mr. Brown will agree with me on that. He has been a very formidable financial critic, and I know he will agree that going back to the old administrations of 20 years ago, the Henry administration, the Ferguson administration and the Hepburn administration, nobody faced up to that situation, until the present Government came in.

MR. NIXON: I would not say that. When Mr. Price was the Treasurer, he brought in this debt-retiring scheme, and said that in thirty years, if that scheme was followed, we would have no debt.

MR. FROST: If there were no new debts created.

MR. NIXON: You created a new debt last year.

MR. FROST: And last year, I think, the Government made some attempt to "peg" the debt at something less than what it was when we came into office.

MR. MACLEOD: Surely you do not claim credit for that.

THE CHAIRMAN: Well, gentlemen, it is now a quarter to one—

MR. BROWN: I want to close with this idea about this subsidy. Would it be a fair question to ask if we had not enjoyed buoyancy of revenue during the past three or four years, that item would still appear on the books?

MR. COTNAM: No.

DR. WALTERS: I would say this: the best authority for taking that out is Winston Churchill. When the last subsidies were settled in 1907, Sir Wilfred Laurier made the statement, "This is the final settlement." Mr. Churchill was then a young man, and he said, "It is wrong to put that in, because a government of a democratic country may agree to pay a subsidy to-day, and may kill it to-morrow." If that is true, as Churchill said, why capitalize it and put it in the Balance Sheet?

MR. BROWN: That was why it was taken out?

DR. WALTERS: That was my process of thinking, and I agreed with Mr. Churchill.

MR. ELLIS: Mr. Chairman, with all due respect to what we have heard this morning, I would like to have the Auditor tell us in ten words, more or less, the difference between \$10,600,000 in 1948 and the accumulated surplus of \$86,000,000. Where did they arrive at that? Can he give us a very brief idea of what happened?—to the accumulated surplus over the reported surplus?

MR. COTNAM: The answer to that is we started off in March, 1947, with some \$40,000,000. We had a surplus in our accounts of some \$25,500,000, and we received from the Dominion Government \$28,964,000 and if these were added to the surplus of \$40,000,000, we would have in excess of the \$86,000,000.

But we wrote off the accumulation of \$40,000,000, plus \$25,500,000, plus \$28,000,000, and also \$14,000,000 odd for unemployment relief, which had been capitalized prior to 1934, and shown on the Balance Sheet as "direct unemployment relief" and not all written off. We thought it was something we ought to tidy up in the Balance Sheet, and get it out of there.

MR. ELLIS: To how many years does that refer?

MR. FROST: Since 1867.

MR. COTNAM: Since the beginning of the province.

MR. BROWN: The surplus would be a deficit at times?

MR. FROST: It all depends on what you value things at.

THE CHAIRMAN: Is there any other business to come before this meeting of the Committee?

A MEMBER: Mr. Chairman, I move we adjourn.

A MEMBER: Second the motion.

MR. DENNISON: When will we have the next meeting?

THE CHAIRMAN: We will have to consult with Major Lewis, and a day will be set, and notices will be sent out.

Where upon the further proceedings of this Committee were adjourned *sine die*.

## SECOND DAY

Toronto, Ontario,  
Friday, March 25th, 1949,  
10.30 o'clock, a.m.

THE CHAIRMAN: Gentlemen, the Secretary will call the roll.

Roll called; the following members present:—

Messrs. Brown, Cathcart, Dennison, Doucett, Edwards, Ellis, Fell, Frost, Gemmell, Gordon, Hall, Hamilton, Harvey (Sault Ste. Marie), Houck, Hunt, Janes, Johnston (Simcoe Centre), Leavens, Mackenzie, MacLeod, Martin, McPhee, Nixon, Oliver, Park, Pringle, Pryde, Stewart, Thornberry, Wismer.

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THE CHAIRMAN: Gentlemen, we realize we are past the presiding hour, but we left last night at a most unusual hour, and I think perhaps we should wait a few minutes longer, until Hon. Mr. Frost arrives, because you may have questions to ask which he will want to answer.

Whereupon a short recess was had.

Upon resuming:

HON. MR. FROST: Mr. Chairman and Gentlemen, I must admit when we put this Committee over until this morning I had forgotten that the House meets at 1.30. Friday is, of necessity, so crowded, and it is so difficult to get things done, when we open an hour and a half earlier, so, Mr. Chairman and gentlemen, I suggest to you that instead of crowding everybody with a meeting this morning, it might be better to put this over until about Tuesday, to give Mr. Brown an opportunity to develop his arguments.

MR. BROWN: I have plenty of argument. Somebody here this morning suggested we adjourn.

MR. FROST: I asked the gentlemen from our Department to come down here and go ahead without me, but the Provincial Auditor is so independent of me that I did not think there is any reason why he should not go ahead.

THE CHAIRMAN: Well, gentlemen, it is about five minutes to eleven. What is your pleasure?

MR. FROST: We might go ahead for a few minutes.

MR. DENNISON: Until about a quarter of twelve.

MR. MACLEOD: Make it about half an hour.

MR. FROST: All right, we will go ahead for half an hour.

THE CHAIRMAN: Gentlemen, you who were in attendance last session will recall we were dealing with The Audit Act, and we decided to-day we would start with any questions regarding accounts, and things like that.

MR. BROWN: Mr. Chairman, I think we did accomplish a good deal at the last meeting, and in consultation with the Provincial Auditor, afterwards, I think most of the things which have been suggested and which possibly will be recommended by this Committee to the House, can very easily be introduced.

Just to bring us up-to-date, at the last meeting we did discuss revisions of The Audit Act, with the suggestion that recommendations go from this Committee that the Act be amended, in order to bring it up-to-date.

Secondly, that there be incorporated into the Public Accounts a surplus account, to tie in with the surplus. I am not very sure that could be done without giving any wrong or improper information, or any information which might be misconstrued by the public, or those who receive the Public Accounts.

Thirdly, that the balance sheet and the statement of the consolidated revenue fund, and other statements of the capital and revenue, be signed by the Provincial Auditor.

And, fourthly, that the balance sheet be signed by the Provincial Auditor, subject to his qualifications, and the qualifications which are contained in the Auditor's Report.

I believe, Mr. Cotnam, we had just arrived at that point?

MR. COTNAM: Yes.

MR. BROWN: That has accomplished a very great deal, and removed a great deal of criticism which I had of the Act, behind the presentation of the Public Accounts.

I think, bringing it up-to-date, we can deal with the Balance Sheet then, and I suggest each member of the Committee bring a copy of the Public Accounts with him, and if you will refer to pages 6 and 7 of the Public Accounts, which is the Balance Sheet.

I personally have no questions to ask with respect to the cash or to the loans and advances, but there is an item there under the heading, "Dominion of Canada", called "Debt Account; Common School Fund" and I wonder if Mr. Cotnam or Dr. Walters could give an explanation of that.

We should know just what that is, because you will see opposite it there is an item which indicates it does not come from any schedule in the Public Accounts.

DR. WALTERS: Mr. Chairman and gentlemen: in regard to the Common School Fund. Perhaps this will give a brief historical description of that fund, and may be interesting to the Committee.

Historical descriptions of the Common School Fund are to be found in the Budget Speeches of February, 1896, February, 1897 and April, 1905.

Statutes enacted in 1841, 1843 and 1849 provided that there should be set apart one million acres of Crown Lands, and that the monies arising from the sale or lease of these lands should go into a permanent fund for the endowment, maintenance or support of common schools in both Upper and Lower Canada.

By Order-in-Council of the 5th November, 1850, one million acres were so set apart in what was known as the Huron Tract (Counties of Huron, Grey, Bruce, Perth and Wellington). The Act of 1849 had stipulated that the capital of the Fund was to be invested in debentures that would produce a clear income of £100,000, or \$400,000 yearly for the support of common schools and the establishment of township and parish libraries. It was anticipated that the investments of the Fund would yield 6% per annum and so the capital required to produce \$400,000 yearly should have amounted to \$6,666,666. However, the price of the land was first fixed at \$2.50 an acre and was reduced in 1852 to \$2.00 an acre. The avowed purpose of the Act was therefore stultified from the beginning.

Later enactments provided that from the yearly monies arising from the sale of common school lands, 6% should be retained by the Department of Lands and Forests for costs of management and 25% should be paid for land improvement to the municipality in which the lands was situate, so that the Common School Fund only received 69% of the monies originally intended for it.

In 1867 all but a few hundred acres of the common school land had been sold, but in a great many cases the purchase price had not been paid. The Fund then amounted, according to an arbitration of 1870, to \$1,608,539.29, but according to a later arbitration in 1896, to \$1,520,959.00. These monies were taken over by the Dominion of Canada from the former Province of Canada to be held in trust for the two new Provinces of Ontario and Quebec. It was provided that the Dominion would pay interest at 5% per annum on this sum and would distribute such interest half-yearly between the Provinces of Ontario and Quebec in proportion to their populations as fixed by decennial census. The proceeds from the sale of the lands were thereafter to be paid over yearly by the Province of Ontario to the Minister of Finance, less 6% for cost of management and 25% for the Land Improvement Fund. These monies were to be added to the Fund for the joint benefit of Ontario and Quebec. The capital of the Fund now (1949) amounts to \$2,677,770.70 which, at 5%, yields \$133,888.53 yearly, distributed as follows,—

Ontario.....	\$71,229.86
Quebec.....	62,658.67

That is the background. Personally in a resolution, after negotiation following Confederation between the Province of Quebec and Ontario, it was established that the capital value of this fund had been apportioned to what has been Upper Canada, and that, according to the books at the present time, amounts to \$1,425,000. I am not sure if that is included in the liability of the Dominion Government. I imagine it is.



MR. COTNAM: Yes, it is.

DR. WALTERS: That showed an asset from 5% of that money of about \$71,000.

MR. BROWN: Is it a good, recoverable asset?

DR. WALTERS: It is not recoverable in this way, but it is admitted the fund belongs to us, and they could not discontinue it.

MR. BROWN: It is not in the same position?

DR. WALTERS: No, it belongs to Ontario.

MR. BROWN: If not, then the next item is "Accounts Receivable"—

MR. DENNISON: What about the debt account in that item?

MR. FROST: Well, Dr. Walters has some accounts on that. The big item there is "buildings, roads and so forth, \$540,000,000." I use that figure as a figure which is used as a basis of the so-called "surplus" of \$86,000,000. That meant, I suppose, that the \$540,000,000 is really only a figure that is taken from the air, regarding the road system of Ontario, public buildings, and public works. I suppose to-day it might be worth a billion dollars.

MR. COTNAM: Gentlemen, I would say this about the Balance Sheet. The Balance Sheet is not just something you can write with mathematical accuracy. It is an opinion, and I can perhaps read to you a very good definition of the words "balance sheet" by one of the foremost accountants on the North American continent, Mr. George O. May, of the firm of Price-Waterhouse and Co., New York City.

In reviewing a book, this article appeared in the American Bar Association Journal, and he had this to say:

"The book will not perhaps be entirely successful in clearing up existing confusion regarding the principles and objectives of general corporate accounting—a confusion for which accountants are themselves largely responsible. They commonly state that a balance sheet is intended to be a statement, as nearly accurate as possible, of financial position, but when the question is pursued it becomes clear that this is not the case. On the contrary a corporate balance sheet is usually a congeries of figures, some historical, some conventional, and some reflecting actual current values, and its importance is subordinated to that of the profit and loss account."

MR. BROWN: In that I quite agree. I am not questioning the item of the \$440,000. I believe that is exactly the same as the valuation on machinery, equipment, or any other type that has depreciated.

MR. FROST: What I am coming at is this: that the surplus of \$86,000,000—the whole thing is a mathematical thing, depending upon valuations on things that are not realizable. In the end, nobody at this time knows the present value.

If we were going out and have an appraisal of our highway system, I wonder what it would amount to. I suppose it might be up in the billions, actually. So the "\$86,000,000" is just a figure; that is all.

Mr. Brown, what I worry about is this: it has been carried on. From an accountant's stand point, the inclusion of that statement can be justified, but from the standpoint of John Public it is misleading.

From time to time I have heard Members say—and how can you blame them?—when they get the public accounts, "You have a surplus of \$86,000,000 and yet you say you cannot spend another \$25,000,000 to build roads some place."

The fact is—and I said this to Mr. Brown the other day—I think it is of great service to the public to have the Public Accounts Committee meet for the purpose of really examining into the true financial picture of this province, because, remember, we can only build and do things dependent upon our financial resources.

The Province of Ontario is really very little different from an individual, actually. We are an individual when we are inflated to the proportions of a province. We are not a central government; we have no control of credit or currency, nor unlimited means of taxation. I think Dr. Walters will say that some economists argue that no central government with these powers can become bankrupt. Of course, during the history of our times, we have seen nations actually that were bankrupt: China, Germany—those things have happened.

MR. DENNISON: They did not keep the price ceilings on.

MR. FROST: Nevertheless, I do not know that I would agree with that argument altogether—

DR. WALTERS: Because they have no strong central government.

MR. FROST: That may be. However, let us get away from that theoretical argument for a minute about the central government. I think we could at least agree on this; that a central government, with these powers, such as the Dominion Government has, provided it exercises the control and restraint in certain regards, cannot become insolvent, provided their loans are largely held by their own people. That, I think, is the strength of the financial position in Canada, that our loans are internally held, and the interest is payable to our own people, and the collection of taxes by the Dominion Government makes insolvency unlikely.

Personally, I think we could carry that argument too far, but let us leave that for the moment.

Here is our problem. We are not much different in the province than Dr. Walters is as an individual. We are not much different than the City of Toronto. For the reason that we are definitely circumscribed in our taxation powers. We have a certain limit of income. You could sit here, and appraise the different sources of income that this province might get. You can appraise it within very reasonable limits. Then it gets down to this; that the things we can do are limited, and the financial resources we have to our credit.

Let us consider for a moment Dr. Walters. His salary is so much. If he lives within his means, he can do a fairly good job. If he lives beyond his means, he can still do a good job up until the time his credit is impaired, and he can get no more money. Then the interest on his loans, and the fact that he cannot borrow any more money, gets him into trouble.

That is our position in the province. Our people do not seem to understand that. They think, "Oh well, the people of Ontario have an unlimited barrel of money that they can dig into, and draw it out and use it any time."

However, there is a limit. You can spend one hundred million dollars on health insurance, and provide for that yearly, if you were the central government and had unlimited financial resources. But the fact is that we cannot do that in Ontario any more than an individual can. A central government could probably do it, with certain controls and restraints, and by means of internal borrowings, a high rate of taxes, and that sort of thing. But the province, under our Constitution, cannot do it.

I would say, Mr. Brown, that is the picture of this Balance Sheet. What purpose does this Balance Sheet serve other than to make the uninformed public think we have \$86,000,000 in the bank, which we have not.

The true picture is what is our income? What is our source of revenue? How much can we get from the people within economic and just limits? With our income, how can we possibly distribute or do all the things we have to do, and meet all the demands which are made upon us?

Gentlemen, you can see this. Supposing this Committee sits down and says "we have \$200,000,000" without increasing the amusement tax to 30%, and a lot of other things? That is our limit, without raising, say, the gasoline tax up to 20 cents a gallon. Now then, what are you doing with your money? A part of each tax dollar you are spending a certain percentage on education. At the present time, we are spending 25% of our tax dollar on education, which is actually pretty high; it is out of proportion to other things.

We are spending, say, 16% or 17% on social services. Some people may say, "You would be doing better to spend 45% on education, and so much more on social services," and they say we are spending too much on reform institutions, and things of that sort.

I would like to say this, that what we have to do is, as people with reasonable judgment, figure out what the best way is to spend the money we have available. That I think is the true test. Therefore, what I have been so interested in is this: what is our revenue; what are our expenditures; what proportion do our various expenditures bear to what we have spent; what is our debt position? Because when we talk about "debt", it is the same as when we talk about Dr. Walters exceeding his income and relying on loans. You can only do that for so long.

MR. DENNISON: You are really convinced, from your experience in your position in the Government, that the Balance Sheet could just as well be dispensed with?

MR. FROST: I sat for many years where you fellows are sitting, and where Mr. Brown is sitting, and we used to come here and cross-examine Dr. Walters, and everybody else, about these things. We were met with the situation with which you are met to-day. We were trying to get the true picture, and give the true picture, as much as Oppositions usually do. I think, myself, that the statement, while it may be desirable, Mr. Brown, to have it there—I think there should be an explanation on it which would qualify it so that any person could read it. It might be better if we could put something there which would explain it, or something of that sort, so as to prevent the people who have not accounting knowledge, from saying, "Sure, you fellows have \$86,000,000 in the bank."

MR. BROWN: May I carry on, Mr. Chairman?

MR. CHAIRMAN: Certainly.

MR. BROWN: I am not concerned whether the surplus is one billion dollars or \$86,000,000 or one hundred million dollars. My concern is that we had, at the end of 1947, a figure for the year's surplus of \$40,000,000, and in 1948, the figure for the year's surplus was \$86,000,000, and there is no indication in the Public Accounts to show what happened in the meantime. In other words, we have no indication there of bringing into the surplus—

MR. FROST: Mr. Brown, Mr. Cotnam gave you a statement? I would imagine you would be satisfied with the statement. You would prefer it to be included in the Balance Sheet, and I assume, Mr. Cotnam, that can be done.

MR. DENNISON: May we hear the whole argument first, Mr. Chairman?

MR. FROST: I imagine in the Public Accounts all the items are put together.

THE CHAIRMAN: Your point is that the average man does not know that?

MR. BROWN: No, they are not all there, anyway.

MR. DENNISON: Let us hear the whole argument first.

MR. BROWN: Just break it down this way: let us forget about the debits and credits, and we start off with a surplus of \$40,000,000. We bring into the surplus account the \$25,600,000 which is the difference between ordinary receipts and ordinary disbursements. Then there is the \$5,000,000 credit to the surplus account sinking fund, charged to ordinary expenditure, which is a close entry of \$5,481,000. There is another small adjustment of \$18,000,000, and \$5,700 for repayment.

Then we bring into the surplus account, which does appear in the supplementary figures under the "gross debt", an amount of \$28,789,996, which comes into that surplus. That is the refund from the Dominion Government for subsidies.

Then, opposite that, which was I believe the Balance Sheet item at the end of 1947, but which I do not think appears in the Public Accounts elsewhere, is a write-off of \$14,045,036, representing the write-off for direct relief. I think those

who get the Public Accounts are entitled to see how the surplus is adjusted from the beginning of the year to the end of the year, with these figures incorporated in it. That is all I am asking.

MR. COTNAM: Mr. Brown, may I suggest, if you turn to page 32, you will see that "surplus adjustments" are contained therein. The only item which is not there is the write-off of the unemployment direct relief. I think, as an accountant, you will realize there was only one place in which the unemployment direct relief would disappear out of the Balance Sheet, and that is against the surplus accounts.

MR. BROWN: I agree with that.

MR. COTNAM: I will not disagree with you. We are both agreed that the only place it could be applied is in the surplus.

MR. DENNSION: In other words, you agree with the foot-note at the bottom of the Balance Sheet.

MR. COTNAM: No. A reconciliation is what Mr. Brown is suggesting. I see no objection to it going in. If it will clear up the situation, I will be happy to see it is included in the Balance Sheet.

DR. WALTERS: The \$14,000,000 entry has been capitalized, in the first place.

MR. NIXON: Does that clear up that situation? The \$14,000,000 being capitalized?

MR. COTNAM: Yes, Mr. Nixon. That is a carry over from 1934, when relief was capitalized. There was just not enough revenue coming in to absorb it, and we had to borrow part of it. We did write some of it off in those years, but latterly it was just carried on as an item, and we felt we should get it out of the Balance Sheet, and I think Mr. Brown will agree with me, it is desirable to get it out of the Balance Sheet.

THE CHAIRMAN: Mr. Cotnam, would you be agreeable to having a reconciliation made of this?

MR. COTNAM: Yes, I am very agreeable to that.

THE CHAIRMAN: So, as far as that is concerned, you are in agreement.

MR. BROWN: It was not my intention to deal with the surplus at all to-day, because of the assurance Mr. Cotnam has given me that there would be a reconciliation in the 1949 accounts.

THE CHAIRMAN: It is actually there, if a person knew how to find it? The items are there so he could make up a statement, if he knew where to go.

MR. BROWN: You are satisfied, Mr. Dennison?

MR. DENNISON: Yes.

MR. BROWN: Now, we come to the item of "Accounts Receivable, as at March 31st, 1948." The details of these amounts include recoverable for gasoline tax \$2,200,000, and other minor accounts, the major item being \$6,535,333 from the Liquor Control Board. My question is this: is there any pre-arranged arrangement with the Ontario Liquor Control Board as to the amount recoverable by the Province of Ontario, which is contained in our revenue, as an asset?

The reason I am asking that question is, as was pointed out the other day by one of the hon. Members in House that this year we show a certain figure. This (indicating) is \$37,000,000. I am wondering if there is some definite arrangement as to how much should come in on the basis of earnings of the Ontario Liquor Control Board, or whether it is just a round-about, and whether it can be used as a lever to determine whether the revenue shall be up or down? \$37,000,000 is a lot of money, and my opinion is that the amount which came into Public Accounts should be on the basis of the net earnings irrespective of the cash the Liquor Control Board has in its treasury at the close of the year.

MR. COTNAM: I think I can answer your question, as to the round-about coming into the Public Accounts. I think you will agree we are on a cash basis, and we only take in that cash which is in our possession on March 31st, and the actual surplus of the Liquor Control Board is not ascertainable until some time subsequent to that, and if we bring it to the last cent, and take, for instance, \$5.46, it would complicate our method of keeping our accounts. That is the reason why it is a "round-about".

MR. BROWN: If you need an entry of a million dollars or two million dollars, it likely would—

MR. COTNAM: I do not understand that implication.

MR. BROWN: That is the argument I have, that your difference is the difference between receipts and disbursements.

MR. COTNAM: I still say I think that is a desirable thing for the province to do, that is, to go on a cash basis, especially as to revenue.

In support of my argument, may I say again I can quote you from a statement from the Assistant Treasurer of the Province of Quebec. As a result of the recommendation of a firm of accountants who went on the accrued basis for revenue, he said he wished they would go back to the cash basis.

MR. BROWN: I am not arguing the merits or demerits, but I am arguing that figure could be used as a lever to increase revenue on a cash basis if so desired.

MR. COTNAM: My experience has been this: that the Liquor Board Revenues have largely come into our revenue statement. The only exception is the year 1946, at which time a reserve for revenue stabilization came up, and I think that was a wise thing to do. May I say that the Hydro-Electric Power Commission

has a revenue for contingencies of over sixty million dollars, and looking at ours, I wish we had more of this kind of revenues, but we have not got them.

MR. FROST: I say to you, Mr. Brown and gentlemen, if I may interrupt Mr. Cotnam, that we have done that as a matter of considered public policy, and for this reason: let us be sane and practical about this liquor business. At the present time we are in a period of high employment and high wages, and most people—I know the shoe pinches here and there—but the fact of the matter is that the people have to-day more money to spend and less places to spend it, than at any time heretofor.

The reason for that is that we have had an austerity programme in Canada; the people have been discouraged from buying jewelry and refrigerators, and motor cars, by means of the high imposts, but we are done with that. The result is we are faced with this: people have money in their pockets, and there are many things they would like to get to-day, which they cannot get. The tendency is to buy things they can buy; they go to race tracks, and the amount of spending is very high, I think it is around about \$30,000,000 a year. They buy liquor; they go to the theatres, and so forth. In that connection, you may ask me why we keep the tax on after 20%.

Well, I think the tax is too high for normal times, but when you can pack the arena with 14,000 people on a Saturday afternoon to see a couple of O.H.A. teams play—well, after all, it is a reasonable place to get money under present conditions.

I would say to you, as regards the liquor business, that one of the great difficulties in connection with this question of public financing is that you run it into a great big peak of revenue, and you build your expenditures up to that. Then the peak levels off, and it is exceedingly difficult to bring the expenditures down.

We have attempted, and I think very wisely, to try and keep our expenditures in line with what might bear some approximation to the real needs when things are going to level off in the levelling days that are ahead. That is the purpose of it.

With the Hydro; they took this position—

MR. HARVEY: Would the Chairman permit a question?

MR. FROST: Yes, certainly.

MR. HARVEY: You contend that the proper thing is to leave the excess balance in the liquor receipts—

MR. FROST: It would be better if it were incorporated in our revenue, say, \$30,000,000 for five years, than to have \$50,000,000 one year, and then \$20,000,000 for a series of years.

MR. DENNISON: Then your revenue stabilization fund in the Liquor Control Board would not be of the same advantage as the Hydro?

MR. FROST: No.

MR. DENNISON: The Hydro might have to sell at a loss sometimes?

MR. FROST: That is right.

MR. DENNISON: Then the point I would like to ask about—

MR. FROST: In principle, it gets down to about the same thing in the Hydro.

MR. DENNISON: I notice on March 31st, last year, there was this item of \$14,805,000 left in their "kitty". Did that represent the total left in from the previous years, or was it just last year?

MR. FROST: I think it went back more than that.

MR. COTNAM: It has been approximately the same since 1947.

MR. DENNISON: So that your surplus from which you took away the \$6,000,000 included the previous amount left in the fund.

MR. COTNAM: That is right. In 1946 we took approximately the earnings—

MR. DENNISON: I think that is a good method of putting it in the accounts, because it lets the Members of the House know the actual situation.

MR. FROST: Well, gentlemen, it is 11.30 and the Minister of Highways (Mr. Doucett) has ordered me out of here.

THE CHAIRMAN: To what day shall we adjourn?

MR. DENNISON: Could we meet on Monday morning?

MR. FROST: Well, Monday is not a very good day.

MR. BROWN: How about Tuesday morning?

SOME MEMBERS: That will be all right.

THE CHAIRMAN: Then we will stand adjourned until Tuesday morning at 10 o'clock.

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Whereupon at 11.30 o'clock a.m., the further proceedings of this Committee adjourned until Tuesday, March 29th, 1949, at 10 o'clock in the forenoon.



## THIRD DAY

Committee Room No. 2,  
Tuesday, March 29th, 1949.

THE CHAIRMAN: Gentlemen, the hour of 10 o'clock has arrived, and we will call the roll and get on with the meeting.

The roll called by the Secretary.

THE CHAIRMAN: Now, Mr. Brown, if you have any further questions you would like to ask of the Provincial Auditor, we would be happy to have you do so now, so we can get on with the business.

MR. BROWN: Since we had the meeting the last time at 10.30, and this time at 10.00 o'clock, perhaps some of the hon. Members are waiting until 10.30 to come down.

At the last meeting of this Committee we were dealing with the matter of the relationship between the Public Accounts in the Ontario Liquor Control Board, and the question in my mind at that time was whether or not there was any pre-arranged basis of determining how much revenue should come in each year from the Ontario Liquor Control Board.

The hon. Provincial Treasurer (Mr. Frost) stated that it was their policy—and I think a very good one—to retain with the Liquor Control Board a stabilization reserve, and the question I am asking is, is that reserve maintained on any pre-arranged plan, or had the Treasury the privilege of drawing on that fund at will, with the result that there would be an increase or decrease in the revenues of the Province.

THE CHAIRMAN: How would it be if Mr. Cotnam gave us the practise he has followed for the last few years.

MR. BROWN: That would be very good.

MR. COTNAM: Gentlemen, I can say this: I think largely the revenues of the Liquor Control Board have been brought into the revenues of the Province in other words, paid into the Consolidated Revenue Fund.

We did establish a reserve of some \$14,000,000,—

THE CHAIRMAN: How many years ago was it that you established that reserve?

MR. COTNAM: In 1946 and 1947. Since then the proceeds have largely been brought into the Consolidated Revenue.

MR. BROWN: Is it not a fact that in 1947 the reserve was some \$15,000,000?

MR. COTNAM: It was only a matter of a few thousand, Mr. Brown; a relatively small amount. It was, I think, about \$150,000, or something like that.

MR. BROWN: The reason I brought up that question was that I know the first figure was \$15,000,000, and the second figure was \$14,100,000.

MR. COTNAM: I am sure you will find it relatively small.

MR. BROWN: Is there any pre-arranged plan?

MR. COTNAM: My answer to that is this: we would continue to build up the Liquor Control Board as stabilization. I think it is very well established, in taking the revenue of the Liquor Control Board—

MR. FROST: Mr. Chairman, I think it is more a question of government policy than otherwise. Our idea would be to cut down, and when we arrive at what we might call "a normalcy"—a normal business condition—and a levelling off at that time, and then we would put all of the profits of the Liquor Control Board into the revenues of the Province. I do not think it would be our idea to maintain a reserve of \$14,000,000 there indefinitely. Our idea would be to use that money to level things off, until we get back into normalcy. How we would use that, would depend on the circumstances. Supposing this year we ran into a recession, and there was a big drop there. It is conceivable that perhaps the whole amount would be used, and it would be our idea to level the amount down until we arrived at the condition we were in before the war, where we could say the liquor revenue is \$5,000,000 or \$10,000,000 a year, and we can count on that as the general run of things pretty well. How abrupt that would be, from \$14,000,000 down to normalcy, I don't know. Nobody knows in these days. It is a question of trying to prevent people—and, incidentally ourselves—from getting a distorted idea of what the revenues of the Province really are.

Personally, I think the \$35,000,000 revenue is altogether out of line with what it will be when we get back to normalcy again. I think it is much too high, and this will be an adjustment back to the position where prices become normal. We feel that the people are beginning to have more sensible things to spend their money on, and I think things are bound to show a very sharp decline. We have kept that there until we got over this period, and got down, without too abrupt a drop, to the position I have mentioned.

That is the whole background. It is not our idea—at least it has not been my idea—that the fund we call "a stabilization of revenue" should remain there indefinitely.

You must remember, gentlemen, the hydro situation is entirely different from ours, although the principle is somewhat the same. In the hydro situation, it is desirable they should always have a large amount there, in order that they can stabilize rates. With ours, it is more a question of bringing our revenues down to what we will find some day will be a normal condition.

MR. BROWN: The result of all that is this: that some time we may find our revenues for the year inflated over and above what they actually earned in that year?

MR. FROST: That is right. We recognize that, and we would want to bring them down.

Mr. Chairman, again, without taking up your time, I will say that in some of the States of the Union, notably the State of Michigan, and in New York—in the State of New York, they piled up about \$150,000,000 from free money to be used by them in those days for work which they could not do in wartime. Most of the American cities have nothing in the line of our own debt at all, and I think all their funds—the huge amounts they piled up—were much in line with our very modest sum, of around \$14,000,000. Some of the American States have been running it up into huge figures.

THE CHAIRMAN: You think the general Consolidated Fund should have these monies put into it?

MR. FROST: That is right. I think it would not be necessary to use large sums on that. We could level it off more gradually.

MR. BROWN: That would be your desire?

MR. FROST: That is right.

MR. BROWN: That is all the questions I wish to ask on that.

Now, we come to the item of inventory on page 42. The inventory is \$3,560,000, and the inventory details on page 42 show included in there in connection with highways, \$1,800,000 for highways. Has that been rather a fixed figure for some years, Mr. Cotnam?

MR. COTNAM: They tell me the inventories represent largely the supplies, such as spare parts, and so forth. For hospitals the inventory comprises the provisions on hand, clothing, for the hospital population, and bed clothing. It is stores for the most part in both the highways and provincial institutions. Then it includes parts which would go for repairs to equipment.

MR. BROWN: It has been suggested that in the highway inventory were included aeroplanes and motor vehicles.

MR. COTNAM: No, I think they report those to us but they have been largely reserved for in former years.

MR. BROWN: What would that inventory consist of? Would that be asphalt and cement, and things of that nature?

MR. COTNAM: No, only the consumable stores.

MR. BROWN: It is all consumable?

MR. COTNAM: Yes.

MR. BROWN: Is that inventory of the Highway Department physically taken?

MR. COTNAM: Yes, it is taken periodically.

MR. BROWN: Has the inventory of stores for the Highway Department stood at \$1,800,000 for some time?

MR. COTNAM: I should answer that question in this way, Mr. Brown: It was felt that the \$1,800,000 represented an approximate inventory of consumable stores, and as prices went up, we tried to hold this at about the \$1,800,000. I do not think that is exactly the figure, but I think it is a proper reserve, and we feel it is a conservative figure.

MR. BROWN: You are taking the physical cost of the inventory each year?

MR. COTNAM: Yes, Mr. Brown.

MR. BROWN: But actually, in valuing it following along what the hon. Provincial Treasurer (Mr. Frost) said, it is rather a value, anyway?

MR. COTNAM: Yes.

THE CHAIRMAN: You would only be getting it if you used another method?

MR. COTNAM: I would not like to put the inventory in on to-day's inflated prices. I think that represents a reasonable inventory.

MR. BROWN: Then my information is not correct, that it includes aeroplanes, and things of that nature?

MR. COTNAM: No, I assure you it is not. We started that as an expendable item. It may crash to-morrow, and then be of no value.

MR. BROWN: You call that in the same category as you would office furniture?

MR. COTNAM: That is right. That is written off.

MR. BROWN: Then the inventory on reform institutions, \$485,000; is that actual produce—

MR. COTNAM: Yes, in reform institutions we have inventories—

MR. BROWN: They are on page 22 and I see the total of the inventory figure on the Balance Sheet which I do not want to labour, because I appreciate that these figures are estimated ones, and are not used actually in the compilation of the revenue and expenses. But I did wish to find out on what basis these inventories were taken. For instance, in Lands and Forests, it is one quarter of a million dollars. It looks rather funny to me to see inventory shown as \$1,800,000 even, and a quarter of a million dollars even.

MR. MACLEOD: That figure of \$198,000, settlers' loans; is that money which has been loaned within recent times, or is it an old item.

MR. COTNAM: Mr. MacLeod, that is a very old item. There have been no settlers' loans issued since 1936. I think that was the last fresh money loaned to settlers. That is something we are trying to collect during the years.

MR. MACLEOD: That was under the Liberal government?

MR. FROST: That went away back to 1924.

MR. COTNAM: This was done prior to 1936.

MR. BROWN: You think we are "kidding" ourselves in putting that through as an asset?

MR. COTNAM: We are collecting the money. I think the receipts are approximately \$45,000 or \$50,000 a year.

MR. BROWN: Then you will write it out in time?

MR. COTNAM: It is slow, but we are collecting money under that.

MR. BROWN: Are there any questions any member of the Committee wants to ask in connection with inventory?

MR. MACLEOD: You are not being too tough on those settlers?

DR. WALTERS: Just the contrary.

MR. FROST: We have written a lot of them off.

MR. MACLEOD: How much have you written off?

DR. WALTERS: If a man dies, for instance, we write the loan off.

MR. BROWN: If there are no questions, I would like to proceed to the question of principal, having to do with the sinking fund. All auditors—and particularly municipal auditors—are given very strict instructions by the Department of Municipal Affairs that the sinking fund irrespective of what the monies are invested in, should not be shown as a reduction from liabilities, but rather as an asset of the municipality. To me, that is very sound accounting, because the funded debt of the province, or of a municipality, is its gross figure, irrespective of what means have been devised to repay it at a future date. Irrespective, also, of whether or not the fund was invested in their own securities or in securities of some other party, such as the Federal Government or a municipal government.

Now, included in the \$32,980,000 for sinking fund is an amount of approximately \$10,000,000 Province of Ontario debentures or bonds. I have no particular quarrel in off-setting that amount against the debentures, because we own those bonds, but the remainder of the \$22,000,000 is in Dominion of Canada bonds—

DR. WALTERS: Which would be correct accounting.

MR. BROWN: No, I would not say that.

DR. WALTERS: I noticed the other day in a statement by Price, Waterhouse, they had redeemed the debenture loans first, for sinking funds.

MR. BROWN: Yes, I saw that statement. As I say, I have no quarrel with that procedure of off-setting your own securities against your own debts, but certainly I would feel that money from investments, even if they be Dominion of Canada bonds, should be shown as an asset. I would like to get Mr. Cotnam's idea on that. Mind you, it is shown here (indicating). You do show the total, but then you show the reduction as the liability, rather than an asset.

MR. COTNAM: Gentlemen, Mr. Brown has stated that it is a matter of accounting on your balance sheet. He suggests that we show on one side of the budget the sinking fund as an asset, rather than to deduct this sinking fund from the other side of the budget where we show the gross debt. It is purely an accounting problem. My feeling would be this: we started our sinking fund out by buying our own bonds, and I think I could get agreement from Mr. Brown when I say that when you buy your own bonds, the proper thing to do is to deduct them from the bonds which are outstanding, and show only those bonds which are in the hands of the public. Latterly we have deviated slightly from buying our own bonds, and we bought Dominion of Canada bonds. Though our sinking fund comprises two things; our own bonds, and bonds of the Dominion of Canada. He suggested to me I should break the sinking fund up to show a part of it on the liability and part of it on the asset side. I am unable to agree with him on that. I think it is preferable, and being consistent—

MR. BROWN: I don't want to leave that impression with you. If they were the Province of Ontario bonds—

MR. COTNAM: If you would prefer me not to break it down, I must confess I prefer to show them where we now show them. Gentlemen, it is a matter of opinion. There are three provinces with balance sheets I can show you who do it exactly as we do it; they have not only their own bonds, but bonds of the Dominion of Canada. The Province of Quebec has \$73,000,000 sinking fund, and they deduct just as we do; the Province of New Brunswick also deducts from their gross debt, and their balance sheet is certified by Mr. P. S. Ralston, so that provincial practise is to do it both ways. We are not alone in handling it as we do, but I think for the reason I have outlined, I do prefer to see it as we have shown it, because I think it is desirable to be consistent. If you can be consistent, and know where you are going to show these things—you see, if we were to sell Dominion of Canada bonds, and buy our own bonds only, we would have to revert back to the way we are doing now, and properly so.

MR. BROWN: No, my thought would be, we should be consistent, not only provincially, but municipally as well; in other words, we should do what we tell others they should do. Do you not think consistency—

MR. COTNAM: I think I can answer your question better this way, Mr. Brown: are you suggesting to put them on one side of the page or on the other side is going to alter the real value of this sinking fund?

MR. BROWN: Definitely.

MR. COTNAM: You think it is going to alter the real value of the sinking fund?

MR. BROWN: Definitely.

MR. COTNAM: The value of the securities? You are not suggesting Dominion of Canada bonds will be more valuable on the right side than on the left side of the page?

MR. BROWN: No, but I am suggesting that \$576,000,000 is an actual liability of the Province of Ontario.

MR. COTNAM: Yes, and we have so shown it as actual liability, and from it we have deducted the sinking funds which are available to offset that. I think in showing it both ways, we have met your objection.

MR. BROWN: Let us carry it a step further. Let us take the interest; you showed the interest on both sides.

MR. COTNAM: No, the interest in our own sinking fund of the bonds we hold ourselves, immediately we buy them, we show the interest on them.

MR. BROWN: I mean, Dominion of Canada bonds, you show them as an asset, and include interest.

MR. COTNAM: We show the Dominion of Canada bonds' interest as we receive it.

MR. BROWN: But in the Balance Sheet, that amount is included, the interest in the Dominion of Canada bonds as sinking fund investments, and the Balance Sheet item, an asset item?

MR. COTNAM: Merely on the acquisition of them.

MR. BROWN: What is that interest account under "Income" on the Balance Sheet—"Interest Receivable"?

THE CHAIRMAN: Page 6.

MR. BROWN: Oh, that is just Agricultural, I am sorry. Getting back to the sinking fund, here is my theory on that: the reason the municipalities caused that to be shown on the asset side as well as the liability side is because during the period of depression when municipalities actually went into default in many instances, municipalities were caught holding in their sinking fund securities. Those municipalities owed to the public their total indebtedness. They could have been, had it not been for the astuteness of the Department of Municipal Affairs in setting up the Ontario Municipal Board and so on, many of those municipalities could have lost heavily their investments in their sinking funds.

MR. COTNAM: Mr. Brown, I do not agree that the showing of these things on one side of the page or the other affects the real value of the sinking fund at all. I cannot read any inherent value into showing them on the right side of the page or the left side of the page. The sinking fund, or rather, what happened to the municipalities, was this: when they acquired the sinking fund they bought surrounding township or surrounding municipal bonds, which turned out to be

not as good as they thought. In other words, they went down in value. However, I think our sinking funds are just a little different. We are handling our own bonds and Dominion of Canada bonds. If Dominion of Canada bonds are worthless, I think perhaps we might forget about the whole balance. That would be my thinking in the matter. If they are not worth one hundred cents on the dollar—and, we are showing them at par value, not at twice inflated over what they will have to be met with at maturity. I think as long as we confine ourselves to Dominion of Canada bonds, we cannot lose any money. Surely, if the Dominion of Canada is not going to meet their bonds at maturity, I do not think we will then be able to meet our bonds at maturity.

THE CHAIRMAN: Is not your objection, Mr. Brown, taken because the municipalities used, in their sinking fund, assets of municipalities and counties?

MR. COTNAM: I would suggest, however, Mr. Brown, the municipalities got in severe difficulties, not by reason of showing their sinking fund assets on one side or other of the page, but they got into difficulties owing to the nature of the sinking fund bonds they bought.

MR. BROWN: That is true, but that brings me back to my argument that those are not a deduction from a liability, because the liability existed. Assuming they had to take a loss in those liabilities, and they deducted their full cost of those debentures from their liability, showing it net, that is a distorted figure of their liability, because their liability still was going to be their total, and they were not going to be able to recover from their sinking fund an amount to make up that total. It is much something the same as off-setting accounts receivable by accounts payable—you do not do it.

MR. COTNAM: I still think, if you have Dominion of Canada bonds off-setting against our own debentures, you are reasonably safe. I must confess I just cannot see where putting them on one side of the page or the other side of the page is going to make them worth more or less, and I think they are worth one hundred cents on the dollar.

MR. BROWN: I agree with that.

MR. COTNAM: If we had \$500,000,000 worth of them, I do not think we could say we have very much debt outstanding.

THE CHAIRMAN: I would move that this is just a matter of opinion between two men.

MR. BROWN: I am willing to settle the fight. I know personally I would not show it that way.

MR. COTNAM: You see, I have my own convictions.

MR. BROWN: That is right, and I have no quarrel with it. The only other item on the liability side I would like to ask is, Demand Savings, \$63,000,000; what have we, outside of this resolution the hon. Provincial Treasurer put through the other day for \$100,000,000 credit, what have we to off-set in our Balance Sheet for that? What I am getting at is this, supposing for some reason, someone should decide to make a "raid" on the Ontario Savings Bank—



MR. COTNAM: Mr. Brown, I think the answer to that is this, if everyone went down to a chartered bank and withdrew their deposits, they would not be able to keep their doors open very long. In other words, they only seek approximately 10 or 12 per cent on hand.

MR. BROWN: Then, where are you on that?

MR. COTNAM: We have our reserve in our borrowing bills.

MR. BROWN: In other words, that bill the Minister brought out is the "safety valve"?

MR. COTNAM: That is the "safety valve" along with some of our other borrowing bills. We always have more borrowing power than the safety deposits themselves. Then, of course, you do not have a situation where all depositors want to withdraw their money at once, when someone comes and draws money out, someone always comes and puts money in, and so on. And, relatively, our receipts and disbursements in savings banks are going up with the years. I can recall when there was \$38,000,000 and now there are \$64,000,000 or \$65,000,000.

MR. BROWN: I just wondered what protection those depositors have.

MR. COTNAM: I always try to ensure we have sufficient borrowing power and we can go to the banks and get money if we felt we needed it.

MR. FROST: Furthermore, there is this, that if such conditions existed and there was a "run", it might be considered it would be grounds for calling a special Session of the Legislature to deal with it, so we would not be very far out.

DR. WALTERS: We carry an overdraft privilege of \$25,000,000 which we do not use but which we can call on if needed.

MR. BROWN: What asset do you pledge for that?

THE CHAIRMAN: General credit.

MR. FROST: Our good name.

MR. BROWN: Just dealing with that question and as it ties in with the revenue fund, supposing someone were to come in with \$2,000,000 and say: "I want to put this in the Ontario Savings Office," how would that show up in your records?

MR. COTNAM: Mr. Brown, we treat the Savings Office deposits as a liability. They do not form part of our revenue and expenditures.

MR. BROWN: I just wondered whether or not they did. You keep it separate?

MR. COTNAM: Definitely.

DR. WALTERS: That would increase the gross debt \$2,000,000.

MR. BROWN: Are there any questions any members wish to ask?

THE CHAIRMAN: Have you any more questions?

MR. BROWN: Plenty more, but not on the Balance Sheet.

THE CHAIRMAN: Then, would you carry on?

MR. BROWN: My argument with the Consolidated Revenue Fund is, that it is purely a statement of disbursements and receipts. We show in there a bank balance at the beginning or, at least, the bank overdraft; we bring in the receipts and disbursements, then we finish up in our reconciliation with the cash in the bank at the end, which makes it a statement of receipts and disbursements. On the other hand, it is called a "Consolidated Revenue Fund." Now, I quite appreciate this is the type of statement that possibly is used by some of the other provinces. It was the type of statement that was used by all municipalities, I would say 15 years ago, but they in their wisdom, like institutions such as life insurance companies, in their wisdom, have converted their statements of receipts and disbursements to a statement of revenue and expenditure, in order to give the people a true picture of what has transpired during the year.

Now, in order to convert this type of statement into a strictly revenue statement—a revenue and expenditure statement—it would be necessary to incorporate into these accounts the assets or the revenue which has been earned but not received, and the expenditures which have been—

THE CHAIRMAN: Incurred but not paid.

MR. BROWN: Yes, incurred paid. Now I am just wondering what the argument is against such procedure.

MR. COTNAM: Well, Mr. Brown, I would like to say this as regards the statement of revenue and expenditures as against receipts and disbursements. I think our statement is essentially a statement of revenue and expenditures; it is also a statement of receipts and disbursements, but I think the two things are pretty much the same thing, in view of the fact that we keep our books open until April 30th of each year to pay those accounts which were incurred up till March 31st, so we try to clean up all our accounts that are owing and show them as expenditures of the year ending March 31st.

Our revenues, we are on a cash basis, and I would not like to see us depart from that. I will be quite frank with you; I think you will find the Dominion Government is on a strictly cash basis, as are most of the provinces, as regards revenue. I think it is time enough to account and deal with your money after you collect it. To put it on your books before it is collected, to get it into your revenue and assume you have a real surplus, when it has not yet been collected, I am not sure that is too desirable in provincial financing. My experience leads me to believe perhaps we are doing a very sound thing by retaining our present practise of staying on a straight cash basis.

I might say the Dominion Government follows that procedure, and one of the provinces that went on the accrued basis now wish they could return. The assistant treasurer has this to say in that respect:

"As far as the Province of Quebec is concerned, we should prefer to be on the cash basis, but a report of Price, Waterhouse and Company recommended the revenue and expenditure basis, which is still used."

Mr. Beeler, who is the assistant treasurer in that Province, says: "Personally, I prefer the cash basis which is followed by most governments."

THE CHAIRMAN: May I ask, Mr. Brown, what advantage do you feel would flow from the other method?

MR. BROWN: My thought is this: while I do not even suggest there has been any attempt at any time to withhold receipts in order to reduce the surplus or to withhold payment of expenditures in order to increase the surplus, there always could be that tendency.

THE CHAIRMAN: That is right.

MR. BROWN: In other words, a statement of receipts and disbursements can be used at will to determine whether you are going to show—

THE CHAIRMAN: It would be reflected in the following year, though.

MR. BROWN: Quite true, but the point is this, that we show a surplus, and we dwell on it that that is the surplus for the year, and up until now—we are going to have a reconciliation of surplus from now on that we did not have before—so it actually did not reflect itself too much here, that is, through the Public Accounts. We are dealing with each year, and it has no merit. Certainly, whether we continue on a receipts and disbursements basis or not, the other to me is certainly far more correct, because you are incorporating into your revenue and expenditure accounts those items which apply to that year.

MR. COTNAM: I think Mr. Brown's suggestion we go on a revenue and expenditure basis flows from the fact most corporations are on a revenue and expenditure basis.

MR. BROWN: Municipal as well.

MR. COTNAM: Yes, municipal as well, and he feels that since they are on it and it works admirably in business, it should also work in government. There are two sides to the story. I still think we are doing the sound thing to follow along the practise we presently are.

MR. BROWN: Do I understand you to say, Mr. Cotnam, that actually you are on an expenditure basis because you keep your books open to incorporate into your receipts and disbursements, shall we say, all the expenditures accruing for that period?

MR. COTNAM: Yes.

MR. BROWN: And on the other side you cut off your revenues?

MR. COTNAM: Yes, so that I think we are sounder, perhaps, than we appear,

in that we do not accrue our revenues which are not yet collected, but are due and owing, but we do try to pay all our expenditures.

THE CHAIRMAN: It is even a more favourable position.

MR. COTNAM: We really are, but I think that is still a sound thing, to be a little better off than you may think you are.

THE CHAIRMAN: You paid more out than you have actually received?

MR. COTNAM: That is right. It is not humanly possible to pay every bill. We do show a bills payable, but largely they are paid.

DR. WALTERS: Physically, the money that comes in, you take it right in on the cash basis, but the bills that are rendered have got to go through a check for prices and discounts owing, and it would be impossible to do the physical task by the 31st of March.

MR. BROWN: I appreciate that. Well, it is something I think we should give consideration to. As I pointed out at an earlier meeting, the difference in the surplus for 1948 would be within the neighbourhood of half a million dollars, that is, by reconciling your assets and liabilities at the beginning of the year, bringing in those at the end of the year, and adjusting them to your receipts and disbursements account. Half a million dollars is quite an item.

DR. WALTERS: When you have done that once, in succeeding years we would be just the same.

MR. BROWN: No, that occurs annually, because you reverse your amount.

DR. WALTERS: But we say if there is a large sum involved, like an inventory adjustment, we would like to take it up in accrued interest on your outstanding funded debt at the end of the fiscal year. Now, provided that funded debt did not vary, having done it once, it would not matter later on.

MR. BROWN: But you do not get my point, Dr. Walters. You do not have accrued interest on your balance sheet now, therefore I am not suggesting you bring it in; I am suggesting that you take into consideration these items you have in your account, \$14,708,000; that would be replaced by another figure next year. I am not suggesting you incorporate into your revenue account any items you are not taking into account. However, that is a technicality, and I think possibly if Mr. Cotnam feels—I feel better about it now than I did before, because I am very much in favour of conservatism.

MR. FROST: Hear, hear.

MR. BROWN: And I think the way it is treated—

THE CHAIRMAN: In an accounting sense, I presume.

MR. FROST: He says he was "in favour of conservatism".

MR. BROWN: You spell that with a small "c".

MR. FROST: Tell me, then, was that half a million dollars you found more or less surplus?

MR. BROWN: More surplus.

MR. FROST: We will have enough money to pay the Ministers the increase in salary.

MR. DENNISON: May I have an explanation of this little balance item on page 8, Consolidated Revenue Fund?

THE CHAIRMAN: What is that, Mr. Dennison?

MR. DENNISON: At the bottom of page 8, Consolidated Revenue Fund, there is a balance item on the left, in the sinking fund, "Uninvested March 31st, 1947, \$1,600,000" and some odd, and then, on the right there is: "Sinking Fund—Uninvested—" oh, it is a different year.

MR. COTNAM: It is a different year, yes, Mr. Dennison.

MR. DENNISON: Oh, I thought it was the same year.

MR. BROWN: At the end of 1947, that would appear as balance in the bank, that is right. Are there any questions the members would like to ask in connection with the receipts and disbursements? I still like to call it that.

THE CHAIRMAN: Then, can we move along?

MR. BROWN: The statement of ordinary revenue and expenditures and the capital receipts and disbursements, why do you call one "ordinary revenue and expenditures" and the other "receipts and disbursements"?

MR. COTNAM: Well, we have tried to distinguish the capital receipts, Mr. Brown. They include items that are not revenue items; in other words, the capital receipts include all those things which do not come in from year to year, I mean the proceeds of loans and special funds, deposits, savings office deposits, and all those things, and they are strictly receipts and we did not like to give the terminology of "revenue" to them and make anybody feel they were something there was any surplus attached to.

MR. BROWN: Yes, my argument is, you are correct here, but you are not correct on the other.

MR. COTNAM: We feel we are correct on one of them. In other words, your capital receipts and disbursements of a capital nature, and then when they come to ordinary accounts, those which recur year after year and form our revenue and expenditures, then we feel they are especially those.

MR. BROWN: This is my last question on this, then. Would you not think, theoretically, we would be correct in calling one "consolidated receipts and expenditures fund" and the other one "statement of ordinary receipts and expenditures"?

MR. COTNAM: Well, of course our only object in calling it "Consolidated Revenue Fund" is the Act so stipulates "Consolidated Revenue Fund", and we have tried to stick to the legal terminology rather than—

MR. BROWN: Now, the only other questions I have, and this has nothing to do with—oh, yes, there is one question on the schedule of—oh, this is not a question any longer, because there is no accrued interest showing, in any event. Yes, there is accrued interest payable, is there not?

MR. COTNAM: There is accrued interest showing on the balance sheet, additional to this sheet.

MR. BROWN: I do not know if it would serve any useful purpose to show it here. If you did have it here, you would have something that would tie in with the figures you show on the schedule.

MR. COTNAM: But I think it is shown like that on any of the other provinces.

MR. BROWN: No, but let us "pioneer"; do not let us just do what the other provinces do. I do not know—it is valuable information—I do not know just how you could insert it there, because I cannot see any column you could eliminate the information that is on there, which is very valuable.

THE CHAIRMAN: Well, the interest accrued would be that from the maturity dates, or the dates of the coupons, to March 31st each year, and you could approach it in that way, but what practical advantage it would be—

MR. BROWN: It would merely dress out that schedule and show it complete.

THE CHAIRMAN: We could give that consideration.

MR. BROWN: The other question I have has to do, not with the Public Accounts particularly, but more with the Estimates. Do you prepare the Estimates?

MR. COTNAM: No, they are really not my responsibility.

MR. BROWN: Mr. Frost, would you like to answer this question with respect to Estimates? In the Estimates, there is no detail, the only place where we get any detail in estimates of revenue is in your budget address; is there any reason why estimates of revenue should not be included in the estimates statement, which is presented to the Members, so that an opportunity might be had for our Members to review the estimates with the Minister at the time, before you go into the votes?

MR. FROST: Well, of course, the Committee of Supply is the committee which votes the Government the means of doing business, and therefore the revenue picture does not come into it. I may say also that if we put that in, they would likely talk that much longer too, so it might be a drawback.

MR. BROWN: I think possibly the time could be devoted in talking on that to more advantage than it possibly is in some of the talking we do have.

MR. FROST: However, as regards the revenues, after all, as I say, the Committee of Supply is the one which votes the Government money necessary to do business. I imagine the estimated revenues all come under the budget debate.

MR. BROWN: It is just merely a matter of convenience to the Members. It seems to me even although they are not put in right beside the estimates for supply, for expenditures, that the schedule be inserted in the front pages. It is just merely a copy of your budget address, detailing each item, and it seems to me that would be valuable. However, that is not the main point I want to raise here. I think in the municipalities they have a splendid method of presenting their estimates for the current year, that is, by showing the amount budgeted for the previous year, the expenditures for the previous year, and the budget for the current year. Is there objection, except possibly the element of time, to introduce a plan such as that? What usually happens is that we take our 1949 book and have before us our 1950, and it is just a little cumbersome. I am just wondering if it could not be all shown in?

MR. DENNISON: We might have to have a book with a little longer page.

MR. FROST: It takes a lot of time to prepare it. Furthermore, there are a lot of details in preparing for ten months' certain and two months' forecast. As a matter of administration, it is extremely difficult to do that.

MR. DENNISON: You might have a book pretty well all set up, with your previous year's estimates, and previous year's expenditures, and just insert the present estimates.

MR. COTNAM: One of your difficulties in trying to get a real comparison is that in municipal life the factors which go into the estimates are pretty much consistent; one year is nearly the same as another, but in the province I think your problem is slightly different, because each year there are certain activities of government which are moved from one department to another, and they do not lend themselves to comparison.

Then, too, the government is always taking on something new. It is called upon to look after this, and called upon to look after that, whereas a budget of a municipal organization is pretty much stabilized, whereas the provincial budget is very flexible, and always changing. There are certain things coming into this year's budget which are not found in previous years, and certain things moved from one department to another. This does not lend itself to a comparison of the results.

MR. BROWN: There are not too many of those?

MR. COTNAM: Oh, it is not impossible, but it is taking up too much time, perhaps.

MR. BROWN: I think that Mr. Dennison actually brought up that question, and I can see a good deal of merit in it. I know that is the way they do it in the City of Toronto.

MR. DENNISON: They believe it might result in less discussion when your estimates are going through, because each member would have the picture right in front of him for each department, and could have his mind made up as to the reasons for the increases or decreases, and it might cut down the number of questions asked. Certainly it would simplify it for the layman—

MR. FROST: Mr. Dennison, the difficulty is this: about 90% are irrelevant; they have nothing to do with the estimates, but they use the estimates for bringing up all manner of things. I have never heard from the Opposition anything about a means we have available to do things; it is the unceasing demand to spend more money. If you read Hansard, in regard to the estimates, so far, you will see that is the case. Some of the estimates which are made, if you totaled them up, they would total a couple of hundred million dollars, which I support is mere "chicken feed", but that is what it would mean. If there is any way of bringing that total down to earth, I would be very glad to do it.

MR. MACLEOD: How relevant were you, when you were in opposition?

MR. FROST: I was always relevant.

MR. THORNBERRY: We always recommended the elimination of certain expenditures, such as advertising these fake magazines, for instance.

THE CHAIRMAN: Well, gentlemen, Mr. Cotnam has heard your point of view, and has heard you express your opinions, and I am sure he will give consideration to them. I think we could now move along.

MR. BROWN: If they feel that by another year they will be giving us all the information we will be pleased to have it, but if we do not get it, we will know the department has not been able in the time at their disposal to get it for us.

MR. FROST: That is right.

MR. BROWN: I agree with Mr. Dennison that if we stick to the estimates, it would cut down the period of discussion.

I am very pleased to say that this concludes any matters which I have to bring before the Public Accounts Committee. I stated at the outset it was not my intention at all to put anybody "on the spot", but merely to get answers to some of these things, which, to me, did not seem to be up-to-date procedure. We have cleared away all these matters, and I think, contrary to the story that was in the Globe and Mail, that this Public Accounts Committee is not a "fizzle". I think it has done and will do a great degree of good.

To climax this portion of the functions of this Committee, some other members may have some other resolutions to bring in, dealing with some other aspects of Public Accounts. However, Mr. Chairman, I would like to move this resolution:

"That this Committee recommend to the Legislature:

1. That The Audit Act be amended in order to bring it up-to-date,



with a view in mind of making the Provincial Auditor responsible only to the Provincial Legislature.

2. That there be incorporated in the Public Accounts a surplus account in order to reconcile the surplus at the beginning and the end of each year.
3. That the Balance Sheet and the statement of Consolidated Revenue Funds—at least it is called “The Consolidated Revenue Fund”—the statement of ordinary revenues and expenditures, and the capital receipts and disbursements be signed by the Provincial Auditor, subject to the qualifications contained in his report, and that will also be signed by either the Deputy Provincial Treasurer, or the Chief Accountant.
4. That the Provincial Auditor present to the Provincial Legislature an Auditor’s Report dealing with such qualifications and recommendations as he wishes to make, and that this report be addressed to the Provincial Legislature.”

THE CHAIRMAN: Well, Mr. Brown, the first point in your resolution there—I just had a different conception than you have given expression to. I recall on the first day’s meeting, in regard to section 20, Mr. Cotnam said that the Treasurer was the medium, the physical medium, through which the Auditor’s Report was laid before the Assembly.

MR. BROWN: It should not be.

THE CHAIRMAN: You think he should appear on the floor of the Assembly and present the report.

MR. BROWN: No, he just tables the report.

THE CHAIRMAN: Through the medium of the Provincial Secretary.

MR. BROWN: I do not care who does it, but I do not think the Provincial Treasurer should appear to have the jurisdiction over the Auditor, and my feeling is that the report should be addressed to the Legislature. In other words, it should be addressed to the people of the Province of Ontario.

THE CHAIRMAN: In regard to that terminology that would mean addressed to the Provincial Treasurer on behalf of the Legislative Assembly. Some person has to present the report.

MR. BROWN: The Auditor’s Report, yes.

THE CHAIRMAN: It is tabled.

MR. MACLEOD: It is tabled by the Provincial Secretary. All reports are tabled by the Provincial Secretary.

MR. BROWN: Then change the words “delivered to the Treasurer” to “deliver it to the Provincial Secretary”. Then the Provincial Secretary should table it, and he addresses it to the Legislature of the Province of Ontario.

MR. OLIVER: I do not think you will find all the reports tabled by the Provincial Secretary are addressed to the Provincial Secretary.

MR. FROST: This is objectionable. The reports are addressed by Mr. Cotnam, the Provincial Auditor, to the Provincial Treasurer, and they say:

"I have the honour to present to you the Public Accounts for the Province of Ontario for the year ended March 31st, 1948, in accordance with the requirements of The Audit Act."

The Treasurer addresses it to the Lieutenant-Governor and says:

"I have the honour to present the Public Accounts for the year ended March 31st, 1948."

I think that is through the proper channels.

I was going to make this suggestion in connection with what you are recommending here. The Department has been, for some time past, concerned—as Dr. Walters stated—with the matter of revising The Audit Act, and bringing it up-to-date for our purposes, in order that the Public Accounts throughout Canada should be uniform. Our people are continuing that work. I think it was Mr. Chater, of the statistical branch, who was chairman of the Dominion-Provincial Committee—

DR. WALTERS: He was, but Mr. George Iliffe of Manitoba is the chairman this year.

MR. FROST: They are making progress. The present Audit Act was introduced away back in the 80's. I, myself, doubt if there has been very much change since that time—and perhaps no change. But, actually speaking, what has grown up is the practice that the Auditor is the adviser of the Assembly, and he is independent of the Treasury Department. It may not just appear from the ancient statutes, that such is the case. On the other hand, remember we have followed British parliamentary practice, and the British Audit Act is very much the same as ours, in the forms of things which are done. There the Auditor makes his report to the Chancellor of the Exchequer.

DR. WALTERS: It is called over there the "Treasury Board".

MR. FROST: Yes, to the Treasury Board. I am quite in favour of bringing our practice up-to-date. I think it probably is, as is the statute under which it is done, ancient, and needs revision. I think that during the year perhaps the work which has been done in the Province for some time past will be culminated during this year, and we might be able to submit to the next Session of the Legislature our revised Audit Act. I think we will be very glad to submit it to the committee, and let the committee consider it, and make their recommendations. After all, it affects all the Members of the House. If that is done, then that can be the starting point for perhaps other procedure.

I do not know, Mr. Cotnam, how far this matter has gone in relation to The Audit Act, but I think it quite possible to present that to the next Session of

the Legislature, and have the matter considered by this Committee, and not bind ourselves at the present time by any resolution or anything of that sort. I think the primary thing to do is to see how it can be worked out. I imagine it will be worked out to the satisfaction of everybody. Under our system, the Auditor is independent, and he is the adviser of the Assembly, and I think he should not be subject—as I am sure he is not—but by statute he should not be subject to the directions of any Minister, or, for that matter, the Government, but that he be independent to freely express his views and opinions. I am most anxious to put the Auditor in that position. During my time here he has always been treated as being in that position.

MR. BROWN: You appreciate, Mr. Frost, that what I have said here is merely a recommendation: in other words, it is consolidating what we have done here.

MR. FROST: Let us take your suggestions and consider them. Mr. Cotnam, I know, will consider them with an open mind, and I think there are matters he can perhaps incorporate into the practices next year. I would say that the starting point in this thing is to revise The Audit Act, and bring it into line with modern thought and modern practices. If the Committee would be prepared to do that, I think, without interfering with the independence of the Auditor, I would make the suggestion, and I think this is what he has in mind himself; the revision of The Audit Act has been long discussed. We are anxious—as Dr. Walters will say—to improve the situation in any way we can. Back some years ago our fiscal year ended on October 31st, and in order to bring ourselves in line with the Dominion and other provinces we moved forward to March 31st. I think some of the provinces have not come up to that as yet.

DR. WALTERS: They are all at March 31st now, excepting New Brunswick.

MR. FROST: In any event, the tendency has been to try and make our approach uniform. We have found that in Dominion-Provincial conference, we make comparisons between this province and the Province of Quebec, for instance, and we find we are adopting two different things. The tendency and the desire of all the provinces—after all, it is really the civil servants who carry these things forward—has been to attempt to arrive at a uniformity, and we are making very rapid progress. I would like you to have a chat with Mr. Chater, who can tell you of the work done in Ottawa in that regard.

MR. BROWN: It is quite possible—

MR. FROST: And I would say, you will find, I think, that the work of the committee is making real progress, and next year we will submit—

THE CHAIRMAN: Possibly you feel this resolution is a bit too abrupt at this moment.

MR. FROST: I would say, Mr. Brown, that these points you raised are of very great interest, and the more we can interest the members in things of this sort, the better for us, and I do not think the time of this committee has been wasted at all. I think it is the converse. I think what has been discussed here is basically of very great importance to us. I cannot say there is anything you have

suggested, with which we violently disagree. There are points there which will be matters of interest, and I think you, yourself, would say that after hearing certain explanations, you may have revised your point of view. We are glad to have your point of view, and it may revise our views to some extent.

THE CHAIRMAN: Mr. Brown, what would you think of changing the preface by saying "Mr. Brown suggests consideration be given to—"

MR. FROST: Yes, and we will take these into consideration here, and starting from next year, we can give further explanations. There are certain things which can be carried out. The reconciliation he asks for is not difficult.

DR. WALTERS: It can be done by the chief accountant or the Treasurer.

MR. FROST: There will have to be various—

MR. COTNAM: May I just say at this point, gentlemen, that I appreciate very much Mr. Brown coming down and raising these issues here. They have been most helpful. The issues raised by the other members of the committee also have been helpful. Mr. MacLeod had certain questions the other day, and Mr. Dennison, and they have all been very helpful to me, and I assure you I want to do the very best job I can do in regard to accounting to the Legislative Assembly upon our year's operations, and again I want to thank Mr. Brown, because I think he has raised very many useful points, and while we have not always agreed, still I am very grateful to him for raising them.

MR. OLIVER: I would like to say a word or two here. I think all of us agree no matter to what party we belong, that this practice under The Audit Act has gone on through several governments; it is not the child of this government alone. And I think all of us believe that the time has come when some change should be made to bring it into line with present-day conditions, to conform with what we consider should be the practices at the present time.

What I have in mind now, is the point raised by my friend, Mr. Brown, countered somewhat by the Provincial Treasurer. This committee has held three meetings, and the question now arises as to who is going to express our opinions and our convictions in this matter. My friend, Mr. Brown, says we should resolve upon this committee that certain definite changes should be made in The Audit Act. I can appreciate there is an interlocking committee which is studying these matters right across Canada, but at the same time, this committee, it seems to me, is stressing the desirability of uniformity across Canada. I say again, as I said the other day, that for quite some time this committee has been working. We do not know what its report will be in the next year, or if they will finish up their business. I do not see why we, in this Legislature, should be restrained because of the activities of that committee. In reference to The Audit Act, I think we are pretty well agreed on what should be done. It is fairly obvious.

How to do that is another point. When the Provincial Treasurer (Mr. Frost) was talking about referring it to the committee next year, I would support that idea, but perhaps from a different point of view. If we could have this committee sort of not conclude its business to-day, but say we would be going on next year—

MR. FROST: That is right.

MR. OLIVER: And the firm understanding amongst all of us that next year the committee would be a continuing committee and they could put these recommendations in a final manner, to the government.

It is hardly right to put my friend Brown in the position of saying "Please, dear sir, we suggest this." The committee is in a position to make a stronger resolution than that, if it so desires. I feel that perhaps the best purpose could be served by the government's saying they are willing to have this committee projected into next year, and that committee next year, after having possibly the report of the inter-provincial committee, would be in a position to deal finally, fairly and courageously with this matter.

MR. MACLEOD: Mr. Chairman, on that point; I think this committee will dissolve with a prorogation, and there will be a new Public Accounts committee set up.

MR. FROST: It is usual to have the same committee.

MR. MACLEOD: We are in the very fortunate position of having a stenographic record of the proceedings of these sittings. That, of course, will be extremely helpful to the committee when it resumes next year.

MR. OLIVER: I did want to say, Mr. Chairman, that I do not want to prejudice the position of my friend Mr. Brown. We have not spoken about this, but it seems to me that would be a good idea.

THE CHAIRMAN: My point, as chairman of the committee, is that if your motion is formally put, there are some very definite technical points there on which Mr. Cotnam has certain views, and Mr. Brown has certain views. I think, Mr. Cotnam, who has heard all this, is in a position, together with the officials of the Department, to give consideration to the very valuable suggestions which have emanated from the discussions had on this subject. But I do not think it would be good business to put the motion, but if it could be recorded as a suggestion to the civil servants who are doing the technical end of it, as they are the people who will come down with a new and improved and up-to-date Audit Act, and these principles which we have fully discussed should be embodied in any recommendation we make. Would that not be better, than to have a formal motion rising out of the discussion?

MR. BROWN: Mr. Chairman, I think there is a little misconception there. I do not think there is anything in the resolution which I have moved that is contrary to the opinions of the Provincial Auditor. There are only four items there. I have dismissed from my mind completely the idea of the re-arrangement of the sinking fund.

Also, in connection with the changes in the revenue account, which were contentious. Then the four points which I raised, one of which concerned Mr. Cotnam signing, or the chief accountant, or the deputy provincial treasurer. I think everything else we agreed upon. At least, Mr. Cotnam is certainly agreeable to giving them every consideration, with the expectation that each one of them can be implemented.

However, what I am interested in is this: that we be assured, when we get out Public Accounts for 1950, they will be certified, and will be presented with the Auditor's Report which will, in fact, be an Auditor's Report. As far as The Audit Act is concerned, we cannot do anything else but what the Hon. Provincial Treasurer has suggested. It will take time to re-vamp it, and the best we could possibly do would be to bring it to the Legislature at a subsequent Session.

Whether this resolution be put, or not, I want to impress upon this committee that subject to anything the Provincial Auditor might say, we are agreed in principle to the four points contained therein.

MR. COTNAM: I think very definitely we are agreed on that.

MR. BROWN: So I cannot see why we cannot bring in the recommendations, and have the chairman report to the Legislature.

THE CHAIRMAN: Mr. Cotnam, in your capacity as Provincial Auditor, do you feel yourself the points are quite satisfactory to the Provincial Auditor?

MR. COTNAM: First, we are living up to all that Mr. Brown wants done. I really do not feel that this enlarges the scope. I think we are doing all these things Mr. Brown suggests we ought to do, although we have perhaps not put our signatures formally to those things.

THE CHAIRMAN: That is why I feel it would come better as a suggestion.

MR. BROWN: I do not want it as a suggestion. That is ridiculous. I would like to see it as a recommendation. I am now in the hands of the Committee. What will happen if we just make a suggestion here? Will the committee report? I think this committee should report. We have had three meetings, and have had no report, and I think the Members of the Legislature are expecting a report from this committee.

MR. FROST: Will you read the resolution again?

MR. BROWN: Yes.

"That this Committee recommend to the Legislature:

1. That The Audit Act be amended in order to bring it up-to-date, with a view in mind of making the Provincial Auditor responsible only to the Provincial Legislature.
2. That there be incorporated in the Public Accounts a surplus account in order to reconcile the surplus at the beginning and the end of each year.
3. That the Balance Sheet and the statement of Consolidated Revenue Funds—at least it is called "The Consolidated Revenue Fund"—the statement of ordinary revenues and expenditures, and the capital receipts and disbursements be signed by the Provincial Auditor, subject to the qualifications contained in his report, and that will

also be signed by either the Deputy Provincial Treasurer, or the Chief Accountant.

4. That the Provincial Auditor present to the Provincial Legislature an Auditor's Report dealing with such qualifications and recommendations as he wishes to make, and that this report be addressed to the Provincial Legislature."

THE CHAIRMAN: Mr. Cotnam says that they are doing these things now.

MR. FROST: And in practice he is.

MR. BROWN: But under the Act he is not.

MR. BROWN: I just read it.

THE SECRETARY: Moved by Mr. Brown, that this Committee recommend to the Legislature:

"(1) That The Audit Act be amended or that you bring it up to date, with a view in mind of making the Provincial Auditor responsible only to the Provincial Legislature."

THE CHAIRMAN: Right there, I think that is ambiguous, because he says that he is.

MR. FROST: That is right, but in practice—

MR. BROWN: In practice, he is, but under the Act he is not.

MR. COTNAM: I cannot agree with Mr. Brown on that score. I really think the Act leaves me independent of the administration of the day, and I have always proceeded along those lines, for not only this administration but prior administrations, and at no time has anybody ever interfered with me in my conduct on the audit.

MR. BROWN: Of course they have, all of them.

MR. COTNAM: No.

MR. BROWN: You have had letters from the Premier asking you to change the statutes—the statutory figures.

MR. COTNAM: I do not feel—I feel that is a request, not a demand. I think there is a difference between a request and a demand, Mr. Brown.

MR. FROST: When people request that they receive less money, that could never be questioned by any auditor, I think.

MR. BROWN: But, still it is statutory. However, that is beside the point. I maintain—I am not casting any reflection whatever—

THE CHAIRMAN: No.

MR. FROST: Read the first one.

THE SECRETARY:

"(1) That The Audit Act be amended in order to bring it up-to-date with a view in mind of making the Provincial Auditor responsible only to the Provincial Legislature."

MR. MACLEOD: I suggest we put a period after "up-to-date."

MR. FROST: I think so.

THE CHAIRMAN: I feel it creates a wrong inference, if you include that.

MR. BROWN: O.K.

MR. MACLEOD: I think it gives the wrong impression.

THE SECRETARY: Put a period after "up-to-date"?

MR. FROST: There is no objection to that. After all, the Act is undoubtedly—read the second one, please.

THE SECRETARY:

"(2) That there should be incorporated in the Public Accounts a surplus account in order to reconcile the surplus at the beginning and the end of each year."

MR. FROST: That's right.

THE SECRETARY:

"(3) That the Balance Sheet and the statement of the Consolidated Revenue Fund and of the ordinary revenue and expenditures and capital receipts and disbursements be signed by the Provincial Auditor subject to the qualifications contained in his report, and that it also be signed by either the Deputy Provincial Treasurer, or the Chief Accountant."

MR. FROST: No objection to that.

THE SECRETARY:

"(4) That the Provincial Auditor present to the Provincial Legislature an auditor's report, dealing with such qualifications and recommendations as he wishes to make, and that this report be addressed to the Provincial Legislature."

MR. FROST: I do not know about that. I think perhaps it ought to be addressed to the Lieutenant-Governor.

MR. MACLEOD: Standard practice. I do not think we should have that in there. I think it would have to be to the Lieutenant-Governor.



MR. FROST: That is right, I think you should take that out of there. In addressing it to the Lieutenant-Governor, it comes under the Assembly, and that is the safeguard, that the Auditor is the servant of the Assembly, through this certificate, and every thing goes to the Lieutenant-Governor and is tabled in the ordinary course.

MR. BROWN: I will make that correction.

MR. FROST: Gentlemen, we have no objection to that. I think that is all right.

THE CHAIRMAN: Then you have this as a motion. What is your pleasure? Any question on it?

Motion agreed to.

MR. DENNISON: I have another question to ask, Mr. Chairman, if I may ask Mr. Cotnam: in this Provincial Auditor's Report, which is in two sections (a) Treasury Board Minutes, and (b) Special Warrant; I wonder if that could not be changed so that each Department would have a total appearing after the department warrants? For instance, here is the Department of Agriculture at the bottom and there is no total there.

MR. COTNAM: We will be very glad to put a total.

MR. DENNISON: Then in section (a), we get the amount of the warrant, the amount expended, and we do not get the amount that is unexpended. In section (b), we get the three columns, the amount expended—is there any reason why we should not get the amount unexpended in section (a)?

MR. COTNAM: I think there is a real reason there, Mr. Dennison, in this, that a Treasury Board Minute is an increase to an appropriation, and it is a different thing than a special warrant. A special warrant is for a specific purpose for which there is no legislative appropriation. You get the warrant, say, for \$10,000 and that is the best estimate you can get of it, but you only spend \$9,800, so you have \$200 unexpended. Now, under The Audit Act as presently constituted, that unexpended balance is available until it is all used up, whereas the Treasury Board Minute, by the statute, expires on March 31st each year, and the Treasury Board Minute is incorporated with the appropriation and the two things all disappear as of March 31st, whereas the special warrant technically carries on until that particular object has been fulfilled. Therefore, there is a distinction between these two things.

MR. DENNISON: Then that does explain it. I think, though, for the average member reading it over, it would be very handy to have the totals.

MR. COTNAM: Totals for each Department, quite easy to do that.

MR. DENNISON: I wonder if the Auditor might explain to us just how such Minutes of the Treasury Board fit in with the estimates, and then with the Public Accounts.

MR. COTNAM: Well, of course the estimates form the basis for carrying on government services, together with the statutes which enable them to be made on a statutory basis. Then, if it is found that the particular vote or item on the vote is insufficient—

MR. DENNISON: Oh, this is a particular vote in the estimates—

MR. COTNAM: That is right.

MR. DENNISON: —is insufficient—

MR. COTNAM: The Treasury Warrant applies to a particular appropriation in the appropriations for the year, whereas the special warrant is that which has come up for which there is no legislative provision, and it is deemed to be necessary that the money be expended.

MR. DENNISON: What I am getting at is, does this mean necessarily that it is new appropriation or is this adjusting sums, taking sums from an unexpended item and applying them to another item?

MR. COTNAM: No, there is no transfer from one sum to another. We have a legal opinion from the Attorney-General's Department, that it is not permissible to take unexpended items from one appropriation and bring them over and use them in another. In other words, the money is appropriated for that purpose, and must be used for that purpose. If there is so much salary voted under a certain branch or department, and they do not use that much money for salaries, they cannot use the money for travelling expenses. You have to vote money for salaries and use it for salaries, you have to vote money for travelling expenses and use it for travelling expenses.

MR. DENNISON: Then section (a) is a stated appropriation for money already appearing in the estimates and section (b) is an amount which we find under headings which do not appear in the estimates.

MR. COTNAM: That is right, although they are all contained in the Public Accounts. They all form part of the Public Accounts, and they are so shown. Special warrant expenditures are shown separately.

MR. DENNISON: I see.

MR. COTNAM: And the Treasury Board Minutes are moved in with appropriations. They increase them, and therefore they are all one and the same thing. At the end of the year you have three types of expenditures, you have appropriations which are increased by Treasury Board Minutes; you have your statutory expenditure, which is the authorities quoted for the expenditures under those items which do not appear in the estimates; and then there is the special warrant expenditure which is obtained by special warrant, and shown in the Public Accounts as being expended under special warrant.

MR. BROWN: What is your experience in connection with these Treasury Board Minute items in carrying forward from year to year? Is there much accumulation?

MR. COTNAM: No, very, very little, Mr. Brown.

MR. MACLEOD: Mr. Cotnam, do you feel this document is properly titled "The Provincial Auditor's Report"?

MR. COTNAM: Mr. MacLeod, I can best answer that—I think you were perhaps not present at the first meeting in which I indicated that the Treasury Board directed that this particular part of the Auditor's Report be printed separately, and at one time it had the caption across it that it was "prepared pursuant to an Order-in-Council dated—" a certain date. Actually, it was not an "Order-in-Council", it was a Treasury Board Minute and the date was a day out, so I struck the thing off and perhaps made a greater error in not leaving it on. But it is prepared in accordance with The Audit Act, and it is prepared separately, pursuant to a Treasury Board Minute, perhaps wrongly captioned, although I think it is part and parcel of the Public Accounts, and the special pamphlet showing special warrants, Treasury Board Minutes—which were directed by Treasury Board Minutes.

THE CHAIRMAN: It may be a misnomer.

MR. MACLEOD: Yes, I was thinking it would be more proper to have the report of the Provincial Auditor tabled in the House at the beginning of every year which would contain this material, but in addition, some of the material which appears in the first part of Public Accounts, and that ought to constitute the dated report of the Auditor to the Assembly.

MR. COTNAM: That could very well be done.

MR. BROWN: I do not know whether this is what transpired, but these will form still a part of your Auditor's Report.

MR. COTNAM: That is right.

THE CHAIRMAN: Is there any other business to bring before the Meeting?

MR. FROST: You can go and draw your pay, now.

MR. MACLEOD: Not yet.

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Upon which, at 11.31 a.m., the further proceedings of this Committee were adjourned *sine die*.



# APPENDIX No. 4

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Report, Minutes and Proceedings of the Standing  
Committee on Priveleges and Elections

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Session of 1949



## Report of the Standing Committee on Privileges and Elections

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SESSION OF 1949

*To the Honourable the Legislative Assembly of the Province of Ontario:*

GENTLEMEN:

Your Standing Committee on Privileges and Elections begs to report as follows:

1. On the direction of the Committee a recount of ballots was held by His Honour, A. J. Gordon, Senior Judge of the County of Essex, and his Report to the Committee is as follows:—

“Re: Recount of ballots,  
Electoral District of St. George.

As requested by you on behalf of your Committee, I have conducted a recount of the ballots cast for the various candidates in the election of a Member to the Legislative Assembly for the Electoral District of St. George held on June 7th, 1948. The result of my recount shows that ballots were cast for the three candidates as follows:

Frier.....	7,450
MacVicar.....	4,853
Porter.....	10,161

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Plurality for Porter..... 2,711

In sub-division 54-A in Ward 3, the envelope of ballots cast for Mr. McVicar was missing. A reference to Form 35 in the Poll Book showed that in this sub-division there were 40 votes cast for Mr. McVicar. The recount of the ballots cast for the other two candidates in this sub-division shows that Mr. Frier received 82 votes and Mr. Porter received 54.

I found no evidence of any irregularity on behalf of the deputy-returning officers or their clerks. Some few slight discrepancies were found such as the inclusion of two ballots in the wrong envelope in two or three instances and I also found five ballots which I decided were “spoiled ballots”.

This report is accompanied by the work sheets on which the result of the recount in each sub-division was recorded which I have signed and certified.”

2. The Committee finds that there was an incorrect tabulation of the votes cast in the said Electoral District both on the official count and on the tabulation required in Form 40 prescribed under The Election Act. The Committee absolves the Honourable Mr. Porter from all blame and responsibility for the said irregularities and also absolves in a like manner the political organizations of the Progressive Conservative, the C.C.F. and Liberal parties. There is no evidence that any of these political organizations had anything to do with the discrepancies.

The Committee examined every witness who might have had any connection with the discrepancies and every known witness who could give any information on the matter. The Committee was unable to ascertain the person or persons who perpetrated the discrepancies or irregularities and is unable to say what the motive for the same was.

The Committee cannot find that the Returning Officer McCabe should be absolved from knowingly lending himself to the commission of the irregularities. There is strong suspicion that either he or someone to his knowledge made improper alterations. Whatever may be said of the Returning Officer's culpability the following is certainly true: If the Returning Officer had used due care at the time of the recount in compiling the voting from the official papers which were in the ballot boxes the discrepancies could not possibly have arisen.

The Committee therefore must censor the Returning Officer for his failure to exercise the care which, if used, would have prevented the discrepancies from occurring. At the time of such official count the Returning Officer should not have agreed even with the consent of persons representing the candidates, or others, to use figures from other than the official documents in the poll boxes.

3. The Committee found no evidence that the deputy returning officers were in any way responsible for the irregularities and absolve them from blame.

4. The election machinery prescribed in The Election Act was quite sufficient to disclose the discrepancies almost immediately and within three days of the official count, to quite a large extent the nature and extent of the discrepancies was known. The Committee recommends that a copy of the evidence taken should be available to the Select Committee which the House has appointed and which will study The Election Act during the coming months.

The Committee, in arriving at this report, considered a draft report submitted by Mr. Jolliffe. He also considered the evidence given and the exhibits filed.

All of which your Committee respectfully submits.

LESLIE M. FROST,  
*Chairman.*

Committee Room,  
Friday, April 8th, 1949.



# MR. JOLLIFFE'S DRAFT REPORT WHICH WAS CONSIDERED IN THE PREPARATION OF THE COMMITTEE'S REPORT

Recommended, That the Report drafted by the Chairman be not adopted, but that the following be reported to the House as the Report of the Committee:

1. On the direction of the Committee a recount of the ballots cast in the electoral district of St. George at the general election on May 31st and June 7th, 1948, was held by his Honour, A. J. Gordon, Senior Judge of the County of Essex. His Report to the Committee was accepted by the Committee as a substantially true and accurate report of the number of votes cast for each of the candidates in said electoral district. His Honour's Report is attached as an Appendix to this Report.

2. The Committee also heard evidence as to the number of ballots which were reported to have been cast for each candidate when the press reports for the entire number of 130 subdivisions had been tabulated at approximately 11.30 p.m. on June 7th, 1948, and the Committee inspected the official return of Form 40 on which the Returning Officer for the electoral district reported the number of ballots cast for each candidate, said Form 40 having been compiled and returned at a date subsequent to the official count which took place on June 11th, 1948.

3. The evidence presented showed that there was a close similarity between the figures reported by the press on the night of June 7th from forms obtained at the office of the Returning Officer, and the figures reported by the Returning Officer on his return of Form 40, but that both sets of figures were far different from the figures reported by His Honour following the recount ordered by the Committee. The three sets of figures are as follows:

	Press Report		Official
	June 7th	Form 40	Recount
Frier.....	7,283	7,010	7,450
MacVicar.....	4,907	4,904	4,853
Porter.....	11,826	11,774	10,161

In the press report, Mr. Porter's plurality over Mr. Frier was represented to be 4,543 votes, on Form 40 it was represented to be 4,764 votes, but His Honour's recount showed that it was in fact 2,711 votes.

4. The evidence given by Mr. McCabe, the Returning Officer, and other witnesses, disclosed that:

- (a) Press reports on Form 36 and in some cases official returns on Form 35 were handed by the deputy returning officers to the Returning Officer on election night, were handed by him to one of his three assistants, and within a few minutes were handed by Mrs. McCabe to the newspaper reporter who was present. It was from these forms that the report issued to the press was compiled by the newspaper reporter.
- (b) Between election night, on June 7th, and the day of the official count, on June 11th, the said forms were kept in a pile on a table in the office

of the Returning Officer, and said office was securely locked at all times when the Returning Officer was absent; Mr. McCabe stated with certainty that no person, during that period, had access to his office during his absence.

- (c) On June 11th, when the official count was made, the official returns which were supposed to have been placed in the ballot boxes by the deputy returning officers were in many cases absent, and in such cases the Returning Officer said by consent he used the forms which had been handed in to him on election night and had been on his desk since that time.

5. The report of the Clerk of the Crown in Chancery upon an inspection made by him of documents returned by the Returning Officer, and confirmed by His Honour's recount, indicates that in some 37 subdivisions out of 130, the figures in the Returning Officer's return of Form 40 showed substantial discrepancies from the returns made by the deputy returning officers (as delivered to at least one of the candidates, and as entered in the poll books) and that in all cases but two the effect of the discrepancy in the Returning Officer's return (Form 40) was to increase Mr. Porter's apparent vote, or to decrease Mr. Frier's apparent vote, or both. Mr. MacVicar's vote was affected in only one instance, where there was a three-way transposition of the figures. In four of the subdivisions the figures were changed by transposition, and in the other 33 by an actual change in the figures. The changes were of a sort which could be made quickly and with a single stroke of a pen, such as a change of "27" to "127", or "38" to "88", etc. In all but four of the 37 subdivisions for which the figures were changed, the correct figures showed that Mr. Frier led Mr. Porter, in many cases by a very substantial margin.

6. The newspaper reporter who was present in Mr. McCabe's office on election night testified that in compiling the return for the press he actually saw the forms on which the figures for the various polling subdivisions were written, and used the figures which he read from the forms. Mr. McCabe testified that in compiling the figures for the official count on June 11th, and later in preparing Form 40, he used the figures which actually appeared on the forms, either those which were in the ballot boxes or those which he had kept on his table since election night. In view of this testimony, and in view of the close similarity between the final press report and the return made on Form 40, the Committee must conclude that after forms had been handed in on election night, and before they were compiled by the newspaper reporter, the figures written on the forms were physically changed in some 33 instances, and that these same forms were later used at the official count and in the preparation of Form 40 when, for the same subdivisions, no copies of the deputy returning officers' official returns were to be found in the ballot boxes. In other words, the figures were falsified by changes made on returns handed in on election night, June 7th, and said changes were made between the hour of 7.00 p.m., when the polls closed, and the hour of 11.30 p.m., when the last poll had been heard from.

7. In view of the fact that the changes were made while the returns were coming in, and that in all but four instances where the figures were altered, the correct figures showed Mr. Frier with a commanding lead, it is apparent that the changes were made with the intention of ensuring the defeat of Mr. Frier

and the election of Mr. Porter. No evidence has been presented to the Committee which would indicate the existence of any other credible motive for such a serious offence.

8. The documents returned by Mr. McCabe to the Chief Electoral Officer included the deputy returning officers' certificates for most of the subdivisions, but not for the subdivisions in respect of which the figures had been altered. Mr. McCabe testified that he must have used these certificates as work-paper, and later destroyed them.

9. The Committee cannot accept it as a coincidence that in every one of the subdivisions in respect of which the figures were altered on election night, the deputy returning officers' returns were found to be absent when the official count was made on June 11th, and that in respect of the same subdivisions the returns which were used by Mr. McCabe in compiling the official count and preparing Form 40 were later destroyed by him.

10. The Committee is unable to state with certainty which of the persons who had access to the returns handed in on election night altered the figures in some 33 of them, but the Committee is of the opinion that the available evidence establishes a *prima facie* case against Mr. McCabe; that either on election night or later he was aware that changes had been made. He admitted the destruction of certain of the deputy returning officers' returns. The Committee recommends to the House that the Law Officers of the Crown be advised that this is the opinion of the House; and recommends that the appropriate action be taken against Mr. McCabe, and their attention is drawn to the provisions of Section 191 of The Election Act.

11. The Committee found no evidence that the deputy returning officers were in any way aware of or responsible for the falsification. The Committee also found no evidence that any of the candidates, or the political organizations of the Progressive Conservative, C.C.F. or Liberal parties were aware of or responsible for the falsifications, and the Committee absolves all of these from all blame and responsibility in the matter.

12. The Committee deplores the laxity in election machinery which permits offences of this sort to be committed, both because of the cloud it casts upon democratic processes of election, and because of the embarrassment which may be caused to a candidate because of actions taken by others without his knowledge or desire. We therefore urge upon the Select Committee which has been appointed to study election law that it include in its recommendations revisions which would prevent a repetition of such practices. The Committee recommends that a copy of the evidence taken should be made available to the Select Committee on election law.

13. Your Committee submits herewith the minutes of its proceedings and the evidence given, as taken by stenographers, and recommends that they be published in the Journals of the House.

All of which is respectfully submitted.

# Minutes

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## PRIVILEGES AND ELECTIONS COMMITTEE

Committee Room No. 1,  
Parliament Buildings,  
Toronto, February 22nd, 1949.

The Select Standing Committee on Privileges and Elections met at 10.30 a.m. for organization and business, with the following Members in attendance:

Messrs. Calder, Cathcart, Dennison, Doucett, Edwards, Frost, Grummett, Jolliffe, Murdoch, Nixon, Oliver, Patrick, Pryde, Robson, Stewart, Thomas (Elgin) and Wismer.

The Clerk of the Legislative Assembly called upon the Committee for nominations for a chairman.

The Hon. Leslie Frost was nominated by Mr. Stewart, seconded by Mr. Murdoch. There being no further nominations, Mr. Frost was declared elected and took the chair.

Roll call was responded by the entire Committee of 17 members.

The Chairman read the resolution passed in the House on February 14th, 1949: Mr. Kennedy moved, seconded by Mr. Blackwell,

That so soon as may be this House do refer to the Select Committee on Privileges and Elections for full examination and inquiry, the matter of alleged discrepancies or irregularities in the returns made under The Election Act by the returning officer, deputy returning officers, poll clerks or others, or any of them, for the Electoral District of St. George in connection with the election held therein on the 7th day of June, 1948; and that all documents, including used and unused ballot papers, relating to the said election in the custody of the Clerk of the Crown in Chancery or of any other person be referred to the said Committee for such purpose.

Hon. Mr. Porter asked to be permitted to outline his position as he was the elected Candidate for St. George. Mr. Porter advised the Committee that he would suggest a recount of the ballots and if the ballots said he was not elected he would resign immediately.

The Chairman advised the Committee that an examination of election papers was held on January 17th when Mr. Frier (C.C.F. Candidate) and his agent, Mr. Brewin, and Mr. MacVicar (Liberal Candidate) were present, the Clerk of the Crown in Chancery being represented by Messrs. R. G. Lewis and W. Harvey.

Mr. R. G. Lewis submitted a report of the examination held on January 17th which was read as follows:

ELECTORAL DISTRICT OF ST. GEORGE

ELECTION OF JUNE 7TH, 1948

Evidence of discrepancies in the Return (Form 40) made by the Returning Officer for the above Electoral District to the Clerk of the Crown in Chancery under Section 145 of The Election Act. These discrepancies were discovered at the inspection of documents for the said Electoral District (other than ballot papers) held on the 17th day of January, 1949, upon the application of Mr. F. A. Brewin, K.C., solicitor for Mr. Frank Frier, one of the candidates at the said Election.

The inspection took the form of a comparison between Form 40 and the available Deputy Returning Officers' Certificates showing the results of the votes at the various polling sub-divisions. In this regard, it should be pointed out that a Deputy Returning Officer is required by The Election Act to make several copies of his Certificate as follows:

1. The copy which is bound into and forms a part of the Poll Book.
2. A loose copy which is enclosed in a separate envelope and placed in the ballot box to be opened by the Returning Officer.
3. A copy for the agent of each candidate if such agents are present in the polling place.
4. In addition, an extra copy is made which is left out of the ballot box for the purpose of informing the Press as to the result of the Poll. This copy is delivered to the Returning Officer personally at the time the ballot box is turned in.

The first comparison which was made was between Form 40 and the copies of the Deputy Returning Officers' Certificates in the possession of Mr. Frier. While in the majority of the Polling sub-divisions the figures were the same, there was 25 Polling sub-divisions in which Form 40 was at variance with those Certificates as follows:

WARD 2

*Polling Place No. 1:*

Figures in Form 40.....	Frier	51
	MacVicar	18
	Porter	72
Figures in D.R.O.'s Certificate.....	Frier	72
	MacVicar	18
	Porter	21

*Polling Place No. 10:*

Figures in Form 40.....	Frier	101
	MacVicar	35
	Porter	127
Figures in D.R.O.'s Certificate.....	Frier	101
	MacVicar	35
	Porter	27

## WARD 2—Continued

*Polling Place No. 11-B:*

Figures in Form 40.....	Frier	66
	MacVicar	13
	Porter	66
Figures in D.R.O.'s Certificate.....	Frier	66
	MacVicar	13
	Porter	16

*Polling Place No. 12-B:*

Figures in Form 40.....	Frier	43
	MacVicar	15
	Porter	44
Figures in D.R.O.'s Certificate.....	Frier	43
	MacVicar	15
	Porter	12

*Polling Place No. 13-A:*

Figures in Form 40.....	Frier	100
	MacVicar	34
	Porter	88
Figures in D.R.O.'s Certificate.....	Frier	100
	MacVicar	34
	Porter	38

*Polling Place No. 13-B:*

Figures in Form 40.....	Frier	137
	MacVicar	38
	Porter	83
Figures in D.R.O.'s Certificate.....	Frier	137
	MacVicar	38
	Porter	63

*Polling Place No. 14-A:*

Figures in Form 40.....	Frier	81
	MacVicar	33
	Porter	88
Figures in D.R.O.'s Certificate.....	Frier	121
	MacVicar	33
	Porter	38

*Polling Place No. 14-B:*

Figures in Form 40.....	Frier	91
	MacVicar	36
	Porter	99
Figures in D.R.O.'s Certificate.....	Frier	131
	MacVicar	36
	Porter	29

## WARD 2—Continued

*Polling Place No. 15-A:*

Figures in Form 40 .....	Frier	81
	MacVicar	35
	Porter	88
Figures in D.R.O.'s Certificate .....	Frier	81
	MacVicar	35
	Porter	38

*Polling Place No. 15-B:*

Figures in Form 40 .....	Frier	86
	MacVicar	28
	Porter	76
Figures in D.R.O.'s Certificate .....	Frier	116
	MacVicar	28
	Porter	26

*Polling Place No. 101-B:*

Figures in Form 40 .....	Frier	10
	MacVicar	40
	Porter	172
Figures in D.R.O.'s Certificate .....	Frier	10
	MacVicar	40
	Porter	122

## WARD 3

*Polling Place No. 16:*

Figures in Form 40 .....	Frier	68
	MacVicar	24
	Porter	79
Figures in D.R.O.'s Certificate .....	Frier	68
	MacVicar	24
	Porter	29

*Polling Place No. 18:*

Figures in Form 40 .....	Frier	60
	MacVicar	14
	Porter	82
Figures in D.R.O.'s Certificate .....	Frier	60
	MacVicar	14
	Porter	22

*Polling Place No. 20:*

Figures in Form 40 .....	Frier	130
	MacVicar	26
	Porter	125
Figures in D.R.O.'s Certificate .....	Frier	130
	MacVicar	26
	Porter	25

## WARD 3—Continued

*Polling Place No. 21-B:*

Figures in Form 40.....	Frier	101
	MacVicar	38
	Porter	137
Figures in D.R.O.'s Certificate.....	Frier	101
	MacVicar	38
	Porter	37

*Polling Place No. 40-B:*

Figures in Form 40.....	Frier	39
	MacVicar	13
	Porter	41
Figures in D.R.O.'s Certificate.....	Frier	39
	MacVicar	13
	Porter	21

*Polling Place No. 45-B:*

Figures in Form 40.....	Frier	32
	MacVicar	10
	Porter	41
Figures in D.R.O.'s Certificate.....	Frier	32
	MacVicar	10
	Porter	21

*Polling Place No. 48-A:*

Figures in Form 40.....	Frier	66
	MacVicar	13
	Porter	75
Figures in D.R.O.'s Certificate.....	Frier	66
	MacVicar	13
	Porter	35

*Polling Place No. 49:*

Figures in Form 40.....	Frier	64
	MacVicar	35
	Porter	197
Figures in D.R.O.'s Certificate.....	Frier	64
	MacVicar	35
	Porter	97

*Polling Place No. 52-B:*

Figures in Form 40.....	Frier	49
	MacVicar	28
	Porter	48
Figures in D.R.O.'s Certificate.....	Frier	49
	MacVicar	28
	Porter	28



## WARD 3—Continued

*Polling Place No. 56-A:*

Figures in Form 40.....	Frier	49
	MacVicar	28
	Porter	56
Figures in D.R.O.'s Certificate.....	Frier	49
	MacVicar	28
	Porter	36

*Polling Place No. 56-B:*

Figures in Form 40.....	Frier	42
	MacVicar	13
	Porter	56
Figures in D.R.O.'s Certificate.....	Frier	42
	MacVicar	13
	Porter	36

*Polling Place No. 67:*

Figures in Form 40.....	Frier	38
	MacVicar	16
	Porter	64
Figures in D.R.O.'s Certificate.....	Frier	38
	MacVicar	16
	Porter	34

*Polling Place No. 68:*

Figures in Form 40.....	Frier	48
	MacVicar	45
	Porter	57
Figures in D.R.O.'s Certificate.....	Frier	48
	MacVicar	45
	Porter	37

*Polling Place No. 80:*

Figures in Form 40.....	Frier	49
	MacVicar	33
	Porter	53
Figures in D.R.O.'s Certificate.....	Frier	49
	MacVicar	33
	Porter	33

Form 40 was then checked with the available loose copies of the Deputy Returning Officers' Certificates which had been turned in by the Returning Officer as having been taken from the ballot boxes. No Certificates were found among these for a number of the Polling places. Mr. McCabe's explanation of this fact was as follows:

He stated that when making his official count of the vote in the presence of

Mr. Frier and other persons, he used the copies of the Deputy Returning Officers' Certificates from the ballot boxes wherever possible. When no copy was found in the ballot box, by agreement with those present, he used the copy in the Poll Book or the copy in the candidate's possession if necessary. Having completed his count, he regarded the loose copies of the Certificates as no longer important and some were used for scrap paper and were subsequently destroyed. Also, he stated there were quite a few cases where no Certificate was found in the box other than the one in the Poll Book. However, the examination of the loose Certificates available indicated that they agreed entirely with the Certificates in Mr. Frier's possession both in cases where discrepancies had been found and in cases where no discrepancies existed. The missing Certificates also were for Polling places of both classes, that is, where there were discrepancies and where there were not.

Form 40 was then checked with the Certificates forming a part of the Poll Book. In a very few Books this copy of the Certificate had not been filled out by the Deputy Returning Officer. These Certificates in the Poll Books were found to agree with all the available Certificates including those in the possession of Mr. Frier and the loose Certificates from the ballot boxes. The Polling places in which discrepancies existed between the Certificates in the possession of Mr. Frier and Form 40 were checked, with very few exceptions, by the Certificates in the Poll Book and the latter Certificates disclosed in all cases the same discrepancies as did Mr. Frier's Certificates.

The examination of the loose Certificates from the ballot boxes plus the examination of the Certificates in the Poll Books brought to light 12 additional discrepancies in Form 40—that is, disagreements between the Deputy Returning Officer's Certificates and the figures in Form 40. These were in Polling places for which Mr. Frier had not produced a Certificate. These discrepancies are as follows:

## WARD 2

### *Polling Place No. 53-A:*

Figures in Form 40.....	Frier	62
	MacVicar	46
	Porter	63

Figures in D.R.O.'s Certificate.....	Frier	62
	MacVicar	46
	Porter	53

### *Polling Place No. 55-A:*

Figures in Form 40.....	Frier	53
	MacVicar	52
	Porter	64

Figures in D.R.O.'s Certificate.....	Frier	53
	MacVicar	52
	Porter	44

## WARD 2—Continued

*Polling Place No. 102:*

Figures in Form 40.....	Frier	19
	MacVicar	44
	Porter	102
Figures in D.R.O.'s Certificate.....	Frier	19
	MacVicar	44
	Porter	127

## WARD 3

*Polling Place No. 14.*

Figures in Form 40.....	Frier	46
	MacVicar	20
	Porter	43
Figures in D.R.O.'s Certificate.....	Frier	46
	MacVicar	20
	Porter	13

*Polling Place No. 23-A:*

Figures in Form 40.....	Frier	20
	MacVicar	7
	Porter	41
Figures in D.R.O.'s Certificate.....	Frier	71
	MacVicar	8
	Porter	42

*Polling Place No. 43:*

Figures in Form 40:.....	Frier	81
	MacVicar	58
	Porter	85
Figures in D.R.O.'s Certificate.....	Frier	81
	MacVicar	58
	Porter	55

*Polling Place No. 46-B:*

Figures in Form 40.....	Frier	76
	MacVicar	8
	Porter	66
Figures in D.R.O.'s Certificate.....	Frier	76
	MacVicar	8
	Porter	26

*Polling Place No. 54-A:*

Figures in Form 40.....	Frier	40
	MacVicar	54
	Porter	82
Figures in D.R.O.'s Certificate.....	Frier	82
	MacVicar	40
	Porter	54

## WARD 3—Continued

*Polling Place No. 54-B:*

Figures in Form 40.....	Frier	49
	MacVicar	44
	Porter	90
Figures in D.R.O.'s Certificate.....	Frier	90
	MacVicar	44
	Porter	49

*Polling Place No. 59:*

Figures in Form 40.....	Frier	25
	MacVicar	11
	Porter	30
Figures in D.R.O.'s Certificate.....	Frier	30
	MacVicar	11
	Porter	25

*Polling Place No. 76:*

Figures in Form 40.....	Frier	49
	MacVicar	54
	Porter	87
Figures in D.R.O.'s Certificate.....	Frier	49
	MacVicar	54
	Porter	89

*Polling Place No. 78:*

Figures in Form 40.....	Frier	41
	MacVicar	18
	Porter	110
Figures in D.R.O.'s Certificate.....	Frier	110
	MacVicar	18
	Porter	41

There was only one Polling place where there was any disagreement between the Certificate in the Poll Book and the one in the possession of Mr. Frier. There was in Polling place No. 100, Ward 2, where Mr. Frier's Certificate and the figures in Form 40 agreed as follows:

Frier .....	63
MacVicar.....	39
Porter.....	135

Whereas the Certificate in the Poll Book reversed the votes for Mr. Frier and Mr. Porter showing the result as follows:

Frier.....	135
MacVicar.....	39
Porter.....	63

This was obviously a mistake on the part of the Deputy Returning Officer in filling out one or other of the copies of the Certificate and as Mr. Frier's Certificate apparently agreed with the one from which the figures were taken for entry on Form 40, it appears probable that the figures in Form 40 are correct.

A summary of the information obtained by the inspection of the documents disclosed the following:

Result of the vote as shown in Form 40:

Porter.....	11,774 votes
Frier.....	7,010 votes
MacVicar.....	4,904 votes

Mr. Porter's plurality over Mr. Frier—4,764.

Result as totalled from the Deputy Returning Officers' Certificates—allowing Mr. Frier the benefit of the doubt mentioned with respect to Polling place No. 100 in Ward 2:

Porter.....	10,265 votes
Frier.....	7,421 votes
MacVicar.....	4,891 votes

Mr. Porter's plurality over Mr. Frier—2,844.

The Chairman stated that, in view of the figures presented, would the Committee accept them and was of the opinion that should the Committee accept these figures, then the Committee should know how the figures came to be changed.

Reference was made by Mr. Jolliffe to events which lead up to the examination by Mr. Frier, who had made an application to the Court for an examination of the Election documents.

The hearing had been adjourned and an examination made under regulations made by the Clerk of the Crown in Chancery and approved by Speaker Thomas A. Kidd.

A discussion ensued as to procedure: Mr. Oliver suggested that the Committee proceed with the examination of witnesses and then have the ballots counted. Mr. Wismer said the first step to be taken was to ascertain to what extent the figures as reported had been tampered with.

Mr. Jolliffe was of the opinion that no member of the Committee should be asked to commit himself to demanding a recount until it has been found what had taken place.

Moved by Mr. Doucett, seconded by Mr. Patrick, that a recount be made of the ballots.

Mr. Nixon, Mr. Oliver, Mr. Wismer, Mr. Grummett and Mr. Stewart spoke to the Motion.

A recorded vote was then taken on the Motion for a recount:

YEAS	NAYS
Messrs. Calder	Messrs. Dennison
Cathcart	Grummett
Doucett	Jolliffe
Edwards	Wismer—4
Frost	
Murdoch	
Nixon	
Oliver	
Patrick	
Pryde	
Robson	
Stewart	
Thomas (Elgin)—13	

The Motion was declared carried.

Moved by Mr. Stewart, seconded by Mr. Grummett that the Chairman be empowered to secure the services of a County Judge to supervise the recount and that Mr. W. Harvey be appointed to assist the Judge.

The Committee agreed that three scrutineers should be appointed, the same to consist of members of the Privileges and Elections Committee, one scrutineer each to represent the Progressive Conservative, C.C.F. and Liberal parties respectively.

The meeting then adjourned to meet at the call of the Chair.

## SECOND MEETING

Committee Room No. 1,  
Tuesday, March 8th, 1949.

The Committee met at 2.00 p.m. with Honourable Mr. Frost in the Chair:

Members present: Messrs. Calder, Cathcart, Dennison, Doucett, Edwards, Frost, Grummett, Jolliffe, Murdoch, Nixon, Oliver, Patrick, Pryde, Robson, Stewart, Thomas (Elgin) and Wismer.

The Chairman presented and read the report submitted by His Honour Judge Gordon relative to the recount of the votes polled in the Electoral District of St. George on 7th June, 1948.

Mr. Jolliffe asked for the votes polled for Messrs. Frier, MacVicar and Porter as set out on Form 40 by the Returning Officer for St. George.

The Secretary was instructed to subpoena the following persons to appear before the Committee at 10.00 a.m. on Thursday, March 10th:

Dan Macabe, Returning Officer  
Mrs. Armstrong, Election Clerk  
Michael O'Connor

and the following parties to be subpoenaed at a later date:

Wesley E. Lawford, D.R.O. at Poll No. 12-B, and the Deputy Returning Officer for Poll No. 101-B in the said Electoral District of St. George.

The Secretary was instructed to prepare and distribute copies of the report of the examination by Mr. Frier of St. George Election documents to party representatives.

Moved by Mr. Stewart, seconded by Mr. Thomas (Elgin) that the Committee adjourn to meet on Thursday next, March 10th, at 10 a.m.

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### THIRD MEETING

Committee Room No. 1,  
Thursday, March 10th, 1949.

The Committee met at 10.00 a.m.

Present: Mr. Frost in the Chair, Messrs. Calder, Cathcart, Dennison, Doucett, Edwards, Grummett, Jolliffe, Murdoch, Nixon, Oliver, Patrick, Pryde, Robson, Stewart, Thomas and Wismer.

Witnesses examined, Daniel McCabe, Returning Officer, and Mrs. Grace Livingston, Election Clerk.

The Secretary of the Committee was instructed to subpoena the following to appear at the next meeting to be held March 15th at 10.00 a.m.:

Daniel McCabe, Michael O'Connor, Frank T. Frier, Mrs. Mabel Armstrong and Mrs. Margaret Leah.

Committee adjourned at 1.00 p.m. to meet again at the call of the Chair.

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### FOURTH MEETING

Committee Room No. 1,  
Thursday, March 17th, 1949.

The Committee held its Fourth Meeting at 10.00 a.m. to-day with Hon. L. M. Frost in the Chair and the following members present: Messrs. Calder, Cathcart, Dennison, Doucett, Grummett, Jolliffe, Murdoch, Nixon, Oliver, Patrick, Pryde, Robson, Stewart, Thomas (Elgin), Wismer.

Witnesses subpoenaed, sworn and examined: Mrs. Mabel Irene Armstrong, Michael Patrick O'Connor, Frank T. Frier and Daniel McCabe. Mrs. Margaret Leah, subpoenaed, satisfied the Committee that she was not in a position to supply any information respecting St. George election matters and was consequently excused by the unanimous consent of the Committee.

The Secretary was instructed to issue subpoenas on the following parties:

Geo. D. Lane, Poll No. 10 (D.R.O.), Ward 2.  
Wesley E. Lawford, Poll No. 12-B (D.R.O.), Ward 2.  
Andrew Brewin, Official Agent for Mr. Frank T. Frier.  
Mr. MacFarlane, Evening Telegram.  
James Abbey, Poll 55-A (D.R.O.), Ward 3.  
Mrs. Elizabeth Lamb, Poll 101-B (D.R.O.), Ward 2.  
John J. Hendrick, Poll No. 1 (D.R.O.), Ward 2.  
Mr. McDougall, Canadian Press.

The Secretary reported that he had compiled an accurate statement of the votes polled, etc., in the Electoral District of St. George. As the printers were making frequent requests for St. George's Form 40, the Committee authorized the Secretary to sign the Form 40 (as he was the party responsible for its preparation) and release the report so that printing of the complete election returns might be proceeded with.

The Committee adjourned to meet again on Friday, March 18th, at 10.00 a.m.

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## FIFTH MEETING

Committee Room No. 1,  
Friday, March 18th, 1949.

The Committee held its Fifth Meeting at 10.00 a.m. to-day, with the Hon. L. M. Frost in the Chair. Members present: Messrs. Calder, Cathcart, Dennison, Doucett, Edwards, Grummett, Jolliffe, Nixon, Oliver, Patrick, Pryde, Robson, Stewart, Thomas (Elgin), Wismer.

The following witnesses were called and sworn:

George D. Lane, D.R.O. Poll No. 10, Ward 2.  
Wesley E. Lawford, D.R.O. Poll No. 12-B, Ward 2.  
Andrew Brewin, Official Agent for Frank T. Frier.  
Mr. Rae, Toronto Telegram.  
James Abbey, D.R.O. Poll No. 55-A, Ward 3.  
Mrs. Elizabeth Lamb, D.R.O. Poll No. 101-B, Ward 2.  
John J. Hendricks, D.R.O. Poll No. 1, Ward 2.  
Mr. McDougall, Canadian Press.  
John H. Osler, Barrister of Jolliffe and Osler.

The Secretary was instructed to subpoena Mrs. Margaret McCabe to appear before the Committee at the next meeting.

The Committee adjourned at 1.10 p.m. to meet on Monday, March 21st, at 10.30 a.m.



## SIXTH MEETING

Committee Room No. 2,  
Monday, March 21st, 1949.

The Committee held its Sixth Meeting at 10.30 a.m. with the following members present: Messrs. Cathcart, Dennison, Doucett, Edwards, Frost, Jolliffe, Nixon, Patrick, Pryde, Robson, Stewart and Thomas (Elgin).

Mrs. McCabe was sworn and examined.

The Secretary was instructed to subpoena Joseph Farrell and Armand Durrand to appear before the Committee on Thursday, March 24th, at 9.30 a.m.

Instructions were given to have produced Dana Porter's financial statement as furnished the Returning Officer.

The Committee adjourned to meet again on Thursday, March 24th, at 9.30 a.m.

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## SEVENTH MEETING

Committee Room No. 1,  
Thursday, March 24th, 1949.

The Committee held its Seventh Meeting at 11 a.m. to-day with Mr. Frost in the Chair and the following members present: Messrs. Calder, Cathcart, Dennison, Doucett, Edwards, Frost, Jolliffe, Murdoch, Nixon, Oliver, Patrick, Pryde, Robson, Stewart, Thomas (Elgin) and Wismer.

The following witnesses were sworn and examined:

Cyril Joseph Farrell,  
Armand Joseph Durand.

The Committee discussed certain proposed recommendations to be further considered when preparing their Report for the House.

The meeting adjourned to meet again to the call of the Chair.

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## EIGHTH MEETING

Committee Room No. 1,  
Friday, April 8th, 1949.

The Committee on Privileges and Elections met at 9.30 a.m. to-day with Mr. Frost in the Chair and members present were: Messrs. Calder, Cathcart, Dennison, Doucett, Edwards, Grummett, Jolliffe, Murdoch, Nixon, Oliver, Patrick, Pryde, Robson, Stewart, Thomas (Elgin) and Wismer.

The Committee met for the purpose of preparing a report for presentation to the House.

Draft reports were submitted to the Committee by Messrs. Frost and Jolliffe respectively.

Moved by Mr. Doucett and seconded by Mr. Stewart that the report submitted by Mr. Frost with the inclusion of section 3 of Mr. Jolliffe's submission, be presented to the House as the report of the Committee.

The Committee agreed to Mr. Jolliffe's report being attached as an appendix to the report of the Committee and that the report and the appendix, together with the minutes, be printed as an Appendix to the Journals of the House.

The Committee ordered that the report and the evidence of the proceedings be placed before the Committee on Election Laws when that body shall meet in the fall of the year.

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## SECOND MEETING

### SELECT COMMITTEE ON PRIVILEGES AND ELECTIONS

Committee Room No. 1, Parliament Bldgs., Toronto,  
Tuesday, March 8th, 1949, 2.00 o'clock p.m.

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Hon. Leslie M. Frost, Chairman  
Mr. G. W. G. Harvey, Secretary

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Present: Messrs. Calder (L), Cathcart (PC), Dennison (CCF), Doucett (PC), Edwards (PC), Grummett (CCF), Jolliffe (CCF), Murdoch (PC), Nixon (L), Oliver (L), Patrick (PC), Robson (PC), Stewart (PC), Thomas (PC Elgin).

Appearances: Major Alex Lewis, K.C., Chief Electoral Officer; Mr. R. Lewis, Clerk Assistant.

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THE CHAIRMAN: Gentlemen, I have here the report by His Honour Judge Gordon, which I will read to you. It is dated the 4th of March, and is headed "Re- Recount of Ballots, Electoral District of St. George," and reads as follows:

"Dear Mr. Frost:

As requested by you on behalf of your Committee, I have conducted a recount of the ballots cast for the various candidates in the election of a Member to the Legislative Assembly for the Electoral District of St. George held on June 7th, 1948. The result of my recount shows that ballots were cast for the three candidates as follows:

Frier.....	7,450
MacVicar.....	4,853
Porter.....	10,161
<hr/>	
Plurality for Porter.....	2,711

In sub-division 54-A in Ward 3, the envelope of ballots cast for Mr. McVicar was missing. A reference to Form 35 in the Poll Book showed that in this sub-division there were 40 votes cast for Mr. McVicar. The recount of the ballots cast for the other two candidates in this sub-division shows that Mr. Frier received 82 votes and Mr. Porter received 54.

I found no evidence of any irregularity on behalf of the deputy returning officers or their clerks. Some few slight discrepancies were found such as the inclusion of two ballots in the wrong envelope in two or three instances and I also found five ballots which I decided were 'spoiled ballots'.

This report is accompanied by the work sheets on which the result of the recount in each sub-division was recorded which I have signed and certified.

Yours very truly,

(Signed) A. J. GORDON,  
Senior Judge,  
County of Essex."

THE CHAIRMAN: Gentlemen, there is the Judge's report.

MR. DENNISON: Will you give us those figures again?

THE CHAIRMAN: Frier 7,450, MacVicar 4,853, Porter 10,161; plurality for Porter, 2,711.

MR. JOLLIFFE: Now, will you give us the figures on the Form 40, so that we can put them together, and make more or less of a rough comparison? I mean the figures as actually returned by the Returning Officer.

MR. HARVEY: Frier <sup>7,450</sup>~~7,401~~, MacVicar 4,904, Porter 11,774.

MR. JOLLIFFE: And the plurality?

MR. HARVEY: 4,764.

THE CHAIRMAN: Gentlemen, the House meets this afternoon in less than an hour, and it seems to me this meeting might be better called as an organization meeting, to file the Judge's report—which has been done—and then if the member of the Committee will indicate whom they want subpoenaed, we will arrange to have that done. Perhaps we could continue again to-morrow. However, we will decide that a little later on. If you will give the names of the witnesses whom you desire to have subpoenaed to the Clerk, we will arrange to have subpoenas issued.

Quite obviously one of the witnesses you will want is the Returning Officer. That is apparent. Do we want the Returning Officer's clerk?

MR. JOLLIFFE: I think so. I do not know the name, but I think he or she should be here.

MR. DENNISON: I think it was Miss Armstrong or Mrs. Armstrong.

MAJOR LEWIS: We will have the name on file upstairs.

MR. JOLLIFFE: Now, Mr. Chairman, there is one question I would like to ask. Possibly one of the scrutineers could answer it. I understand there were a majority of the sub-divisions in which the results of the recount correspond almost exactly with the D.R.O.'s certificate.

MAJOR LEWIS: That is correct.

MR. JOLLIFFE: I do not think we are particularly interested in those sub-divisions. The effect of the recount is just to confirm the original report. It may be, however, that the D.R.O.s in the other sub-divisions will become material witnesses. In how many sub-divisions was there any actual change?

MAJOR LEWIS: About 25.

THE CHAIRMAN: You mean as between that and the Form 40?

MR. JOLLIFFE: Yes.

THE CHAIRMAN: I think there were 25.

MR. JOLLIFFE: I think those are the ones we have to worry about. We do not have to worry about the others.

MAJOR LEWIS: As a matter of fact, while there was a difference between the Returning Officer's figures on Form 40, and the Deputy Returning Officer's certificates in those 25 sub-divisions, when you come to the recount, the Deputy Returning Officers' figures compared in almost every case—with but very few exceptions—with the certificates.

The counting of the ballots by the judge, and the figures of the Deputy Returning Officers, with the exception of a few sub-divisions, corresponded.

MR. JOLLIFFE: So I understand. The question I am raising, Mr. Chairman, is that we have to anticipate the possibility that the R. O. will show, for example, the figures received from Deputy Returning Officers do not correspond with some of the figures shown in the recount, then we will have a conflict which can only be resolved by calling the D.R.O. later. I do not know what his evidence will be.

THE CHAIRMAN: That will appear later.

MR. JOLLIFFE: I think the Returning Officer is the first and most obvious witness, and perhaps his clerk, and also Mr. O'Connor.

THE CHAIRMAN: Who else was present? Was Mr. Frier present at the official count?

MAJOR LEWIS: Yes. My information is Mr. Frier was present.

THE CHAIRMAN: And who else was present? However, we can find that out. I presume the Returning Officer and his clerk will know.

MR. JOLLIFFE: I believe Mr. Frier should be called.

MAJOR LEWIS: Mr. Frier was present. I am not certain about Mr. Mac-Vicar, but I think either he or his agent was present.

MR. JOLLIFFE: If you are asking for the names of witnesses, Mr. Chairman, I suppose we may be able to name others, too, as we go along, but at the moment we want to call Mrs. Armstrong; and also Mr. O'Connor, who, according to Mr. Frier's affidavit, opened some of the ballot boxes.

MAJOR LEWIS: Have you his initials?

MR. JOLLIFFE: I think it is "M"—Michael. Also, Mr. Chairman, I understand there is a D.R.O. named Lawford, who says he has some evidence to give.

MR. DENNISON: That is Mr. Wesley Lawford, who stated in one or two instances, it was raised.

MR. HARVEY: What poll is he in?

MR. DENNISON: In either number one or number two.

THE CHAIRMAN: Gentlemen, as agreed, we would like to get along with this as quickly as possible. To-morrow morning there is a meeting of the Agricultural Committee. How would it be if we tried to meet here at, say, 1.30 to-morrow afternoon?

MR. JOLLIFFE: The House will be meeting at 3 o'clock?

THE CHAIRMAN: Yes. We could make it a bit earlier, say, one o'clock.

MAJOR LEWIS: Some of these witnesses may not be able to be subpoenaed by to-morrow.

MR. JOLLIFFE: Yes, I might suggest, also, that in the case of the Returning Officer, we may be quite a while with him. Perhaps we had better set aside a morning for his evidence.

MR. GRUMMETT: How many are there on the Agricultural Committee, who are also on this Committee?

MAJOR LEWIS: Eight.

MR. OLIVER: You are suggesting we sit to-morrow morning? I do not think we can sit to-morrow morning.

MR. JOLLIFFE: It is too soon, it seems to me.

MAJOR LEWIS: Thursday is not a bad morning. We have a meeting of the Committee on Standing Orders Thursday morning, but it will only take about a half an hour.

THE CHAIRMAN: Perhaps we could run off the meeting of the Mining Committee to-morrow morning, too.

THE CLERK ASSISTANT: We might have the Standing Orders at 10 o'clock on Thursday and this Committee meet at 10.30.

THE CHAIRMAN: Would Thursday morning, at 10.30, be alright? How many members are on the Committee on Standing Orders? Actually speaking, it is only a formality. Why could we not meet here at 10 o'clock?

MR. GRUMMETT: There will be enough to carry on the meeting of the Committee on Standing Orders.

MAJOR LEWIS: Yes, and they will be through in half an hour, and then the members who are on this Committee can come into this meeting. There will be enough to get started with, as long as we have a quorum.

MR. DENNISON: Mr. Chairman, there is one witness we should probably call. I refer to the D.R.O. from poll 101 (b), which I understand is the poll where the figures were changed twice. There were two changes made.

MAJOR LEWIS: Just a minute, Mr. Dennison. You mean they were changed from the Deputy Officer's certificate to Form 40, and changed again later at the recount and inspection?

MR. DENNISON: Yes. I think it was 101 (b), Mr. Chairman. It is in your statement.

THE CHAIRMAN: However, would it not be well to let that matter stand, and see how long we will be with the Returning Officer and his clerk. They are a necessary preliminary to everything else.

MR. DENNISON: I am not asking in particular for it, but I thought, if we were asked for the D.R.O.'s, he might be the key one.

MAJOR LEWIS: If necessary, we can subpoena him for another meeting. We will not finish this in one meeting.

MR. DENNISON: In the meantime, will each member have a copy of the report which was read by the clerk assistant at the last meeting?

THE CLERK ASSISTANT: Yes; we have several copies.

MAJOR LEWIS: We could have more copies made, if they are required.

MR. DENNISON: If we had one for each Party, it might be sufficient.

MAJOR LEWIS: That could be done quite easily.

THE CHAIRMAN: Then it is understood this meeting will adjourn until Thursday morning at 10 o'clock. The members of this Committee who are on the Committee on Standing Orders will be excused until the finish of the meeting of that Committee.

MR. JOLLIFFE: We start off with the Returning Officer at 10 o'clock Thursday morning?

THE CHAIRMAN: Yes. Gentlemen, a motion to adjourn is in order.

MR. STEWART: Mr. Chairman, I move we adjourn.

MR. THOMAS (Elgin): I second the motion.

Motion agreed to.

Whereupon at 2.20 o'clock p.m., the further proceedings of this Committee were adjourned until Thursday, March 10th, 1949, at 10 o'clock in the forenoon.

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### THIRD MEETING

Toronto, Ontario,  
Thursday, March 10th, 1949,  
10 o'clock a.m.

The further proceedings of this Committee reconvened pursuant to adjournment.

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THE CHAIRMAN: Gentlemen, you know the old Army order, "Call the roll."

Roll called by the Clerk of the Committee.

Present: Hon. Leslie M. Frost, Chairman; Messrs. Calder (L), Cathcart (PC), Dennison (CCF), Doucett (PC), Edwards (PC), Grummett (CCF), Jolliffe (CCF), Murdoch (PC), Nixon (L), Oliver (L), Patrick (PC), Pryde (PC), Robson (PC), Stewart (PC), Thomas (PC Elgin), Wismer (CCF).

MAJOR LEWIS: Mr. Chairman, before you start, I might say that we subpoenaed Mr. O'Connor. We had a little difficulty in locating his home address, and when we did, we found he was away from home, and the subpoena was served on Mrs. O'Connor. Mrs. O'Connor telephoned in a few moments ago and said she had a letter from her husband, and that he was out of town and was leaving to go to some other point, and apparently had not received her letter about the summons, and she said she would wire him immediately.

THE CHAIRMAN: In the meantime we have the Returning Officer and his clerk.

Gentlemen, the Returning Officer's clerk is Mrs. Grace Livingstone. She is here this morning. She has a new baby, born just a short time ago, and it is difficult for her to be away from home. However, she is here. I presume, however, the best method is to go ahead with the Returning Officer, and hear him, and possibly we may have to call Mrs. Livingstone later on. Of course, the baby has to be fed, and it is difficult for Mrs. Livingstone to be away, and that is more important than the Election Committee. I may say that Mrs. Livingstone just came out of the hospital a few days ago, and we will have to bear that in mind.

Mrs. Livingstone, may I say to you that we do not want you to get all excited and "het up," and so on. If you feel that you are under any strain, or anything of that sort, in waiting, we will be glad to excuse you. Do not feel upset about that. If you would prefer to sit anywhere else, we will easily get a place for you. Please feel perfectly free about that. We understand you have other important things to consider, and we do not want to upset you.

MR. DENNISON: Would it be better, under the circumstances, to ask Mrs. Livingston to give her testimony first? It might then not be necessary for her to remain any longer. Would that be the best way?

THE CHAIRMAN: What is the feeling of the Committee on that? It really puts the cart before the horse.

MR. GRUMMETT: Yes, I think so.

THE CHAIRMAN: We would not want to put Mrs. Livingstone in a position of being referred to as a "cart", or even as a horse".

MR. OLIVER: I think we should hear the Returning Officer first.

THE CHAIRMAN: I think so, and if it is necessary to get Mrs. Livingstone back again, we can do that.

MR. OLIVER: I think it would be much easier for her, after we have heard the Returning Officer.

THE CHAIRMAN: That is what I thought. We have Mr. McCabe here.

DANIEL MCCABE, a witness being called and who, having affirmed, testified as follows:

THE CHAIRMAN: Now, gentlemen, as regards the examination of Mr. McCabe; I think we want to keep things in as orderly a way as possible. Would you think this would be the proper and reasonable procedure, if I were to ask Mr. McCabe questions so as to, shall we say, lay the groundwork, put in the Judge's Report, and then allow the members of the Committee to go ahead and ask any questions which are in the form of cross-examination, if you want to put it that way, to bring out all the facts of this situation?



If you think that is desirable, we could go ahead in that way. Any member of this Committee is perfectly free to ask any question at any time, but I think we should keep things in an orderly way, so we will not add to the already confused state of this matter, from this point on.

MR. JOLLIFFE: Mr. Chairman, you have in mind, of course, that the members of the Committee may ask questions?

THE CHAIRMAN: Oh yes. If there is anything in the groundwork which I seem to have omitted, just let me know, and we will bring it out.

BY THE CHAIRMAN: Q. Mr. McCabe, you were appointed the Returning Officer for the electoral district of St. George, in the election which was held on the 7th of June last?

A. Yes.

MR. DENNISON: Mr. Chairman, I am sorry to interrupt. Is there any reason why the press is not here this morning? Were they asked not to be here?

THE CHAIRMAN: No. Do you want me to subpoena them?

MR. DENNISON: There is usually a table provided for the press. I see there is no table here this morning. It was taken out.

MAJOR LEWIS: The press were invited to the meeting.

BY THE CHAIRMAN: Q. Mr. McCabe, who was your clerk?

A. Mrs. Livingstone.

Q. Mrs. Grace Livingston?

A. Yes, that is right.

Q. Now, Mr. McCabe, this Committee appointed Judge Gordon, of Windsor, to conduct a recount of ballots and to report to this Committee. We have the Judge's Report, which I will just show you (document handed to witness).

A. Thank you.

Q. You will notice he sets out the various polls, the votes obtained, and then he finds the actual totals which the various candidates received?

A. Yes, I see that.

Q. Mr. McCabe, here is a form (indicating) known as "Form 40" which is a compilation of the various votes from the various polls in the Riding. That was made by yourself?

A. Yes.

Q. It does not give the date—

MR. HARVEY: It came in on the 18th of June.

BY THE CHAIRMAN: Q. In any event, it was returned to the Clerk of the Crown in Chancery on the 18th of June. That is what is known as "Form 40," and it is an official compilation of the votes. Was that prepared by you? Is that your writing on there?

A. It is not my writing, but I guess I helped to prepare it. Mrs. Livingstone, I think, wrote it down, as far as I can remember. I think it is her writing alright.

Q. Before we go into that, May I ask this? Where did this compilation take place?

A. In my office on Church Street—339 Church Street.

Q. Was it an office you just obtained for the occasion?

A. Yes, it was just rented.

Q. Who was present at that time with you?

A. There was Mrs. Livingstone, and myself, Mr. Frier, Mr. O'Connor, and two others, a father and son, a Mr. Wallace and his son.

Q. Do you recollect the date? That would be the date named in the writ?

A. That was the proper date, yes.

BY MR. JOLLIFFE: Q. What date was that?

A. I do not remember the date now, but it was the proper date.

MAJOR LEWIS: Six days after?

A. Yes.

BY THE CHAIRMAN: Q. That would be the 13th?

A. That would be it, yes.

MR. HARVEY: The official return was made on the 11th of June, four days after the election.

MAJOR LEWIS: That was when the election was declared.

THE WITNESS: If I remember, I think it was a Friday after the election—the first Friday after the election.

BY MAJOR LEWIS: Q. Was that the day you prepared the return of the election?

A. Yes.

Q. Was it six days after?

A. I think it would be the sixth day after the election, would it not? I am not sure. I cannot remember the dates now.

BY THE CHAIRMAN: Q. Let us put it this way. Was that Form 40 prepared that night?

A. Oh, no.

Q. This was prepared afterwards?

A. Yes. This (indicating) was the last thing we prepared.

Q. This Form 40?

A. Yes, and it would be within two weeks after.

Q. The time of the compilation of the ballots—what took place on that occasion?

A. That night?

Q. Yes?

A. I cannot tell you what I did that night. It was in the afternoon sometime.

MR. JOLLIFFE: The witness will have to speak up so each member of the Committee can hear him. The members of this Committee are entitled to hear the witness. I think, Mr. Chairman, the witness should be told that his answers must be given so that they can be heard by all members of this Committee, and not given simply in a conversational way.

THE WITNESS: I will try to speak louder.

THE CHAIRMAN: Mr. Harvey has given me the Ontario Gazette, which says:

"Notice is hereby given of the receipt of return of members to represent the following Electoral Districts in the Legislative Assembly of the Province of Ontario."

and it says here (indicating):

"18th of June, 1948; St. George's Riding."

MR. JOLLIFFE: That is not the same return.

THE CHAIRMAN: Is this not Form 40?

MAJOR LEWIS: No. That is the return of the election made by the Returning Officer after he has received the certificates, Forms No. 35, from the Deputy Returning Officers, and has added them up, and declared who is elected, and on the sixth day after that, under the Act, he then prepares Form 40 and returns it to the Clerk of the Crown in Chancery. That is what the Act provides for.

THE CHAIRMAN: The certificate referred to in the Ontario Gazette is simply a statement saying Mr. Porter was elected?

MAJOR LEWIS: That is the official return saying that so-and-so had been elected.

THE CHAIRMAN: Does that give the returns of the votes?

MAJOR LEWIS: No. It is simply a certificate of the election of one of the candidates.

THE CHAIRMAN: Does Form 40 arrive after that date?

MAJOR LEWIS: Yes, but the 18th of June would be the date on which the Clerk of the Crown in Chancery received the certificate. It is not necessarily the date on which the recapitulation of the Form 35 is made, but it would be within a day or two.

THE CHAIRMAN: To whom is Form 35 given?

MAJOR LEWIS: There was one copy in the election clerk, the Deputy Returning Officer, the poll clerk has it in his poll book.

THE CHAIRMAN: Form 35 is for each individual to file?

MAJOR LEWIS: That is right.

THE CHAIRMAN: That is, then the only complete tabulation and recapitulation is Form 40?

MAJOR LEWIS: No. The first tabulation and recapitulation is made on the date set by the Returning Officer in his proclamation, in which he says that on a certain date, at a certain place, and at a certain time he will add up the votes cast for each candidate and declare who is elected. That is when he tabulates all returns made to him on the Form 35, and declares who is elected.

MR. GRUMMETT: The candidates are advised to be present?

MAJOR LEWIS: Yes.

THE CHAIRMAN: Form 35 is each individual polling division?

MAJOR LEWIS: There are four copies, and one of which is in the poll book, one sent to the Clerk of the Crown in Chancery—there may be more than four; one is given to each candidate present, or his agent; that is kept on the official form which goes to the Returning Officer, for each polling subdivision and on the

basis of this Form 35, the Returning Officer adds up the votes for each candidate, and declares who is elected.

THE CHAIRMAN: He does not fill out the Form 40 at that time?

MAJOR LEWIS: He fills out the certificate declaring who is elected.

THE CHAIRMAN: It seems to me it would be more logical to fill out the Form 40.

MAJOR LEWIS: Form 40 is for the purpose of supplying the Clerk of the Crown in Chancery with the number of the votes cast in each individual subdivision, and the total vote for each candidate, and including the spoiled ballots, rejected ballots, and so on.

THE CHAIRMAN: He must have some sort of a work sheet, when he checks with the Form 35, and adds them up.

MAJOR LEWIS: He uses whatever figures are supplied him, or which he supplies himself.

MR. JOLLIFFE: He has the Form 36?

MAJOR LEWIS: Yes.

THE CHAIRMAN: What is Form 36?

MAJOR LEWIS: It is similar to Form 35,—

THE CHAIRMAN: Gentlemen, you have all been through many elections, but it seems to me you will learn something about what is doing.

MR. OLIVER: I am not so sure.

MR. DENNISON: I think the Chairman should have studied this last night.

MR. GRUMMETT: The Chairman wanted to come here with an impartial mind.

THE CHAIRMAN: That is right. I never prejudge this case at all.

BY THE CHAIRMAN: Q. In any event, Mr. McCabe, you, within six days after some time or other, filled out this Form 40?

A. Yes.

Q. Which is the official return which goes to the Clerk of the Crown in Chancery, and is subsequently printed by order of the Assembly into book form?

A. Yes. I fill that out.

Q. Now, you have seen his honour's report, and his honour has found that Mr. Porter received 10,161 votes, Mr. MacVicar received 4,853 votes and Mr.

Frier 7,450 votes. On this Form 40, which is your compilation of the votes, read off the figures you have there.

A. Mr. Frier 7,010, Mr. John MacVicar 4,904, and Mr. Dana Porter 11,774.

Q. Mr. McCabe, there are some slight differences in those totals. How do you account for that?

A. I cannot account for it at all. If I could have accounted for it, I would have cleared it up before it got this far—before it went to the Clerk of the Crown in Chancery. I do not know anything about how the figures became changed.

Q. Have you seen the report of the Clerk of the Crown in Chancery made in connection with this matter?

A. In connection with this recount?

Q. Yes?

A. No.

Q. Take a look at this (handing document to witness) and read it "Polling place No. 10"—

MR. JOLLIFFE: You mean "Ward 2, No. 1," Mr. Chairman?

THE CHAIRMAN: I am beginning at the top of page 2.

MAJOR LEWIS: It is polling place No. 10, in Ward 2.

THE CHAIRMAN: I just picked this out of the air. It was the first one on the top of page 2, and it says "Polling place No. 10."

BY THE CHAIRMAN: Q. Will you read that?

A. Out loud?

Q. Yes.

A. The figures on Form 40 "Frier 101, MacVicar 35, Porter 127."

Q. Those are your figures?

A. Yes.

Q. Now read the next one?

A. The figure in the D.R.O.'s certificate, Frier 101, MacVicar 35, Porter 27.

Q. Now, it is apparent between the official figures and the Deputy Return-

ing Officer's certificate, which also corresponds with the vote as his honour found it, there is a difference of 100 votes added to the 27 which Mr. Porter received?

A. Yes, I see that. I have no explanation for it other than the fact that I wrote it off the reports I had in front of me. That is the way the first one got on.

MR. JOLLIFFE: Show him that certificate (indicating), Mr. Chairman.

THE WITNESS: This (indicating) is not the certificate I read the report off of.

MR. JOLLIFFE: Is it not different from the one you did have?

THE WITNESS: On election night I had each one of the D.R.O.'s hand me a certificate like that (indicating).

BY MR. OLIVER: Q. What are the figures on that?

A. 101, 25, and 27.

BY MR. JOLLIFFE: Q. Who signed it—

THE CHAIRMAN: Is that "27" or "24" on there?

A. 27.

BY MR. JOLLIFFE: Q. Who signed it?

A. George Lane.

Q. Is that the first signature?

A. That is a Deputy Returning Officer.

BY THE CHAIRMAN: Q. Now, Mr. McCabe, the situation is this; the form here, Form 36 (indicating), which is signed by the Deputy Returning Officer, says "Frier 101, MacVicar 35, and Porter 27"?

A. Yes.

Q. And that corresponds with the recount figures, and also corresponds with the D.R.O.'s certificate and is quite obviously correct?

A. Yes.

Q. How do you account for the change of the figures which you report in Form 40?

A. I cannot account for it. These are the figures which were on the slips which were handed to me.

BY MR. DENNISON: Q. Handed to you by whom?

A. They were handed to me on the night of the election with the boxes. I kept them on my desk there, and read them off, as they came in.

BY MR. CALDER: Q. Did you, yourself, read them off, or did somebody read them for you?

A. I read them, or I passed them on to be read off.

BY MR. JOLLIFFE: Q. Did Mr. Lane hand you the slips?

A. I do not remember whether it was Mr. Lane, or who it was.

BY MR. GRUMMETT: Q. What are you supposed to do with those slips?

A. I guess Mr. Lane was there. He brought his box in.

BY THE CHAIRMAN: Q. Mr. McCabe, I think we are talking about different times. Mr. Lane brought his box to you after the poll closed on the night of the election?

A. On election night, yes.

Q. We are talking, not about the compilation which you would have made on election night, but, as I understand it, we are talking about a compilation which you made some days later from these various returns, and at the time the boxes were opened, and the official reports taken from the boxes?

A. I understand that.

Q. The point is this: his honour, in taking the same forms you would have—because, as I understand it, these boxes are taken by the Returning Officers on the night of the election and put in your office?

A. That is right.

Q. And when you came for an official count, these boxes are opened, and the certificates are taken from these boxes, are they not?

A. Yes. If they have certificates in them. Some of them did not have certificates in them.

Q. In that case, what did you do?

A. Then we used the ones we got on election night.

Q. Let us put it this way; in this particular case—here is poll No. 10; the D.R.O.'s certificate is correct. It corresponds with the judge's findings. If in the form, which Mr. Jolliffe has handed to you, where could there be a place you could make that error?

A. It was marked on my slip, or I would not have read it off. Mr. Frier was sitting there at the other side of the desk, and I was sitting here (indicating), and the forms were put there (indicating) right in the centre of the table.



Q. Do you infer that Mr. Frier made that mistake?

A. No, I am not inferring anything about Mr. Frier at all. I just mention that fact, that they were right there. He could have picked them up and looked at them, if he had wanted to. Is that not right, Mr. Frier?

THE CHAIRMAN: Let us stick to this one poll. If we get all the polls in together, we will not know what we are talking about. We have taken the first poll, and it appears to be a case in which the Deputy Returning Officer made proper returns, and everything is correct, as far as the count is concerned, and yet this error arises. Let us confine our examination to that point, and see what happens. Perhaps, Mr. Jolliffe, you have some questions.

BY MR. JOLLIFFE: I was going to suggest the next question ought to be: where is the slip, as he calls it, on which the witness says he got the figure 127?

A. I didn't hear you, Mr. Jolliffe.

Q. Where is the slip from which you said you got the figure 127?

A. That is what I say, I got that either from the Form that was in the box or the Form I had since election night.

Q. Wherever you got it, where is the document from which you got it?

A. I don't know where. I guess I put it in the box. If I didn't, maybe I tore it up. It was my work-sheets. I have no idea where it is now.

Q. Mr. Chairman, the point is this: Mr. McCabe, you will understand you could not get the figure 127 from a work-sheet?

A. That is where I got it, sir.

Q. From a work-sheet?

A. Well, If we couldn't find the statement of the poll in the box—a lot of them didn't have them in, they are supposed to have them in, but they didn't always follow directions, a lot of them didn't put them in—when we couldn't find that, we picked up this sheet on the desk.

Q. What sheet?

A. The form I received from the Deputy Returning Officers on election night.

Q. Yes?

A. We picked that up and used that. I would ask Mr. Frier who was there if it was agreeable to him and he nodded "yes".

Q. That is the form that was not in the ballot box?

A. The form was not in the ballot box.

Q. A loose form? Did you make any check with the count in the ballot book—which would be in the ballot book?

A. Sometimes we did, yes. I just forget now the procedure. It is a long time ago, you know, nine months. I don't just remember the exact procedure.

BY MR. DENNISON: Q. May I ask, Mr. Chairman—the day you opened the ballot box?

A. Yes.

Q. In your office, when Mr. Frier was present, did you notice the number that was plainly written, in the case of this poll, right on the envelope containing the ballots?

A. I don't remember.

Q. Did you open the ballot boxes?

A. Did I open them?

Q. Yes.

A. No, my help opened them.

Q. Your helper opened them?

A. Yes.

Q. Who was that?

A. Mr. Wallace and his son.

Q. Mr. Wallace and his son opened the ballot boxes?

A. Yes.

Q. Did they open all the ballot boxes?

A. Yes.

Q. And they handed you a slip from the ballot box?

A. Well, they handed the ballot box to Mr. O'Connor, I believe, and he handed them to me.

Q. So they handed the ballot box to Mr. O'Connor and he handed the ballot box to you?

A. Yes.

BY THE CHAIRMAN: Q. And did you open the ballot box?

A. The ballot box was open. I didn't open it, no. It had to be unlocked. Sometimes the key didn't fit them and we would have to break the locks on some of them.

BY MR. DENNISON: Q. Then, after you received the ballot box from Mr. O'Connor, you looked in the ballot box to search, the occasional time, did you, to see if there was a form there?

A. To see if there was a form, yes.

Q. To search, and when you didn't find a form, didn't you look on the envelope occasionally to find out the real number?

A. As I tell you now, I don't remember whether we did look on the envelopes or not, or what we did exactly. It is a long time ago, remember that. Could you tell me if you looked on an envelope nine months ago, or a sheet of paper? I don't remember.

Q. I think if I couldn't find a number in that way in the box, I would look on the envelope.

A. I must have done that.

Q. You are not sure whether you did in this poll?

A. I am not sure, no.

Q. You have no other explanation of how this 125 was—

THE CHAIRMAN: 127.

MR. DENNISON: Pardon me, 127.

THE CHAIRMAN: You see how easy it is for mistakes to happen.

MR. OLIVER: There's two in this case so far.

BY MR. DENNISON: Q. In this case, you say Mr. Wallace handed the box to Mr. O'Connor and it was Mr. O'Connor who read it out to you?

A. No. He handed it to me.

Q. He handed it to you?

A. Yes.

BY THE CHAIRMAN: Q. And you read it out?

A. I read it out and put it on the desk there.

BY MR. DENNISON: Q. Do you remember in any case where Mr. O'Connor read it out to you—

A. Oh, no.

Q. —and he did not see it?

A. He certainly didn't.

Q. You saw it in every case?

A. Yes.

Q. You take full responsibility for that?

A. Yes.

BY MR. JOLLIFFE: Q. Mr. McCabe, I gather from what you say that you took the figures at the count on the Friday after the election, took the figures mostly from the loose certificate—they looked like this, did they (producing)?

A. Let's see. Yes, something like that.

BY THE CHAIRMAN: Q. Better have a look at it. Is your eye-sight so good you can see it over there?

A. It is not too good, no.

Q. Tell me, is your eye-sight good or bad?

A. It is not very good, no, but I can get by on it—with it.

BY MR. CATHCART: Q. He is looking at me over here.

A. This eye (indicating) doesn't focus.

Q. I wondered why this eye keeps turning this way. I mean that.

A MEMBER: Just as well to keep an eye on you, Brian.

THE WITNESS: It is a weak muscle in the eye.

BY THE CHAIRMAN: Q. Your vision is not affected?

A. My vision is pretty fair. I get by with it, anyway.

BY MR. JOLLIFFE: Q. You are able to read the figures of that Form 40?

A. Yes, "101, 35, 27."

Q. The loose certificates from which you took that vote looked like that document, didn't they? Weren't they the same type of form?

A. It was either like this or like the statement of the poll. That is 35, I guess.

Q. May I have it back?

A. Yes.

Q. Did I understand correctly when you say that you took many of these results on the loose certificate and not from a certificate inside the ballot box?

A. Where there was no statement of the poll in the ballot box, we sometimes used those, with the approval of Mr. Frier.

Q. And they had never been in the ballot box, had they?

A. No.

Q. They had been loose since election night?

A. Yes.

Q. Are they the ones you used to give the results to the press?

A. On election night?

Q. Yes.

A. Yes.

Q. And who had had possession of those certificates from election night until the Friday after the election?

A. They were on my desk there.

Q. They were on your desk?

A. Yes.

Q. Did you keep them on your desk or in your desk?

A. There weren't any drawers in the desk, so I had to keep them on it.

Q. I think you said your clerk was Mrs. Livingstone?

A. Yes.

Q. Who is Mr. Wallace?

A. He is a man I had in to help me on that day.

Q. What is his first name?

A. Frank. He is just a helper to help clean up the boxes, and his son helped too. To pile them away, get them away, get them unlocked and that. It is quite a job getting the boxes out and getting them opened and putting them back and tearing all the seals off them and wiping them off and so on.

Q. Did you employ the helper?

A. Yes.

Q. Did you employ his son?

A. Yes.

Q. What is the son's name?

A. Gerry—I think it is Gerald, I guess.

Q. And you mentioned Mr. O'Connor; is that Mr. Michael O'Connor?

A. Michael O'Connor.

Q. What was his capacity in your office?

A. He was—he would be a representative of Mr. Porter's. He is an agent—an advertising man for Mr. Porter, I guess.

Q. Was he Mr. Porter's official agent?

A. No, he is not his official agent.

Q. What was his job?

A. Who?

Q. Mr. O'Connor?

A. What was his job?

Q. Yes.

A. He was an advertising agent, like, for Mr. Porter. He wasn't the agent.

Q. You said a little while ago that he opened the ballot box.

BY THE CHAIRMAN: Q. Who was Mr. Porter's official agent then? I thought someone said Mr. O'Connor was Mr. Porter's official agent.

A. No, Mr. McLean.

BY MR. JOLLIFFE: Q. Mr. Clarke McLean?

A. Yes, Mr. Clarke McLean was Mr. Porter's official agent.

BY THE CHAIRMAN: Q. Was Mr. McLean present on this occasion—the official agent?

A. No, he wasn't.

BY MR. JOLLIFFE: Q. You understood Mr. O'Connor was present as Mr. Porter's representative?

A. Yes. Mr. Porter didn't have any other representative.

Q. Who authorized Mr. O'Connor to open the ballot box?

A. No one did.

BY THE CHAIRMAN: Q. Mr. Jolliffe, I have here Mr. Frier's affidavit, sworn the 3rd day of January, 1949, and he says that "In the presence of myself and the Returning Officer, D. A. McCabe, one Michael O'Connor, official agent for Dana Porter, one of the candidates in the election—"; that is obviously an error, then.

A. Yes, he wasn't official agent.

BY MR. JOLLIFFE: Q. Was he his campaign manager, do you know that?

THE CHAIRMAN: Mr. Jolliffe, this is an affidavit.

THE WITNESS: He looked after advertising more than anything else.

THE CHAIRMAN: This is an affidavit made under oath by Mr. Frier that he was the official agent, and apparently it is not correct.

MR. JOLLIFFE: The witness just said under oath he was present at the—

THE CHAIRMAN: Well,—

BY MR. JOLLIFFE: Q. Just a moment, that he was present as agent of Mr. Porter.

A. I said "a representative".

Q. He was there as the representative? All right, we can go into that later.

A. Representing Mr. Porter.

Q. As far as this witness is concerned, you know he was there as Mr. Porter's representative?

A. Yes.

Q. You said he opened the ballot box?

A. No, I said he handed the box to me.

Q. Mr. Wallace opened them?

A. Mr. Wallace took the locks and any binding that was on them, took them off.

Q. Were the boxes sealed?

A. Some were and some were not.

Q. I don't suppose you remember whether this one was sealed?

A. I don't remember any particular box, no.

MR. WISMER: Mr. Chairman, may I—?

THE CHAIRMAN: Sure.

BY MR. WISMER: Q. Mr. McCabe, if I remember your answers up to now, the same loose Form 36's you received from your Deputy Returning Officers on election night—?

A. Yes.

Q. —were in some cases used to make up the return where in some cases there wasn't sufficient information in the box?

A. Where we couldn't find them, no.

Q. And these loose forms, you kept from election night until the day of the official count? I would like to go back to election night; these forms came in, were there representatives of the press at your office waiting returns from there?

A. Yes, that is right.

Q. When you received your returns from the various Returning Officers or whoever brought them in for them?

A. Yes.

Q. You had someone making up a tabulation of the three votes to give to the press?

A. Yes.

Q. And these are the same forms, you kept them for use at some subsequent time?

A. Yes.

Q. I wonder, Mr. Jolliffe, have you a newspaper report of the election returns? The report of the election as carried in the press following the election would be a result of the tabulation made from these loose forms coming in from the Returning Officers on election night?

A. What report did you mean? Form 40?

Q. No, these same—



A. Oh, on election night?

Q. Yes.

A. We had press sheets also supplied by the government.

Q. I mean these returns.

A. We handed them to the press man. He had his adding machine and we had ours.

Q. Quite, but the only form you had to make a tabulation from for the press or to give them returns from for their own tabulation were these Forms which came from the D.R.O.'s., is that correct?

A. Would you repeat that?

Q. The only things which you had from which to make a tabulation election night were these loose Form 36's coming in from your D.R.O.'s?

A. Or the press returns, yes, that or the press returns. They didn't all bring in those returns. I told them to, but they didn't all bring one in to me. Some of them brought the press returns and on the election night those were the reports that were sent out from the office, that were made up on the election—the press return and the forms that were handed to me.

Q. Do you recall how many newspaper reporters were there—how many newspapers represented?

A. I don't know whether there was one or two.

Q. Or three?

A. I don't think there were three. It was either one or two. As far as I remember. I am not positive.

Q. According to the report in the Evening Telegram, June 8th, I have these figures, Mr. Chairman:

Frank Frier.....	7,285
John A. McVicar.....	4,907
Dana Porter.....	11,826

THE CHAIRMAN: Well, of course, I think, Mr. Wismer, on election night those figures, those newspaper figures, are so inaccurate and so incomplete—

MR. JOLLIFFE: That is correct.

THE CHAIRMAN: —that there is not much use getting into that.

MR. JOLLIFFE: But they are reasonably close to the Form 40 figure.

THE CHAIRMAN: Let us have a look at that for a moment.

MR. WISMER: There is a remarkable similarity between that and 40.

THE CHAIRMAN: I just wondered what it said about Victoria. I did not want to have an inquiry on that report.

MR. STEWART: I would welcome an inquiry on mine.

THE WITNESS: But there could be mistakes made on election night, there is so much confusion.

THE CHAIRMAN: Yes, I can understand that.

BY MR. CATHCART: Q. This eye is bothering me. I wonder if you have another piece of paper—

A. I do not know whether it is bothering you, it bothers me.

Q. If you had two pieces of paper on the desk here, and happened to close this eye (indicating), would this eye see that piece of paper, or would that one?

A. See both of them, I guess.

Q. From where I am it seems to be looking over there (indicating).

A. When I close this eye, this won't focus on there.

Q. I wondered with that eye, if you had two or three sheets of paper in front of you on the desk, if by any chance that eye closed, what this eye would see.

MR. GRUMMETT: You are not suggesting one eye was closed the night of the election, are you?

MR. CATHCART: This wasn't the night of the election, it is the tabulation that was made, some six days later. But that is what bothers me. I will have to move over to that side, that is all. You understand what I mean, Mr. Chairman? This eye does look this way definitely, on the right side here (indicating).

THE WITNESS: This eye looks kind of useless, but it can be used.

BY THE CHAIRMAN: Q. What is your ordinary occupation?

A. Salesman.

Q. Do you do clerical work in the ordinary course?

A. Just writing out orders.

BY MR. DENNISON: Q. May I ask Mr. McCabe if he has been a D.R.O. on many occasions.

THE CHAIRMAN: A "D.R.O." or "R.O."?

MR. DENNISON: Returning Officer, I mean.

THE WITNESS: I beg your pardon?

BY MR. DENNISON: Q. Is this the first time you were a Returning Officer?

A. No, I was a Returning Officer before.

Q. In 1945, too?

A. Yes.

Q. Was 1945 the first time?

A. First time, yes.

Q. And were you appointed Returning Officer on the recommendation of Mr. Porter?

A. Yes.

Q. You were? Are you a member of any political party?

A. No, I am not. I have never belonged to any political party, and I do not intend to join one.

Q. Sometimes they are good things to keep away from.

A. There is no motives for this at all, that is why I haven't any motive—it doesn't matter to me what party gets in. I was perfectly neutral.

A MEMBER: This may be the answer, Mr. Chairman.

BY MR. DENNISON: Q. I was going to ask if you would tell us, the six days afterwards when you had Mr. Frier present, you opened the ballot box; would there be any possibility of Mr. Wallace putting a "1" in front of that "127" at that time?

A. No. Absolutely not. I had my eye—my one eye on him and one on this here (indicating).

MR. GRUMMETT: In that case, there is less reason for an error then.

BY MR. DENNISON: Q. For a man who had an eye on each of them, Mr. Chairman, it is remarkable how so many errors can take place; but I would like to ask seriously: on that day, you believe at that point the numbers had already been changed; would that be your belief?

A. I didn't notice that any changes had been made at all.

Q. You didn't even suspect any changes had been made at that time?

A. No, no.

Q. At no time had you any suspicion of any changes being made?

A. No, no. I would have checked it up if I had.

Q. Now, did anyone else have access to your office while these forms were lying on your desk?

A. No, I had it locked up. It was locked.

Q. Mr. O'Connor was in and out of your office a good deal during the election, wasn't he?

A. Well, he was in and out several times. Same as Mr. Frier. Mr. Frier used to come in and see me every day. Isn't that right, Mr. Frier—every day?

Q. So you say Mr. O'Connor was in every day too?

A. No, I didn't. I wouldn't say he was in every day.

Q. You said, "The same as Mr. Frier."

A. I say he was in and out several times. Neither of them were in every day, I don't think, but practically.

Q. I see. At this opening of the ballot box, Mr. McLean, the official agent for Mr. Porter, was not there at all?

A. No.

Q. And you gave any material you had to give to Mr. Porter; you gave to Mr. O'Connor to give it to Mr. Porter?

A. What material?

Q. Well, you gave him a set of figures, I presume, that day, did you?

A. He might have copied down a set of figures. I don't know whether he did or not.

Q. You don't know whether he copied down any figures or not?

A. No.

Q. But you do remember that he handled the ballot boxes after they were opened, before they reached your desk?

A. The lid was closed on them. He handed them over to me.

Q. But you said this was after the lock was unlocked, after the key was inserted and the lock unlocked by Mr. Wallace?

A. Yes.

Q. Mr. O'Connor handed the unlocked ballot box—

A. Yes.

Q. To you.

BY MR. EDWARDS: Mr. Chairman, one thing strikes me queer. I have sat in on several official counts and I cannot figure out how Mr. Frier, who would have a sheet from each poll with the results on, sent to him immediately after the ballots were counted on election night, how he did not at the time the official count was made catch up with the difference in votes.

A. I didn't say—

Q. That is the part that puzzles me.

MR. JOLLIFFE: The answer is very simple. The answer is he didn't have them all.

MR. EDWARDS: Why would he? He had an agent at each poll.

BY THE CHAIRMAN: Q. Mr. McCabe, on the night of this official count—now, I am not talking about election night, I am talking of the night of the official count—

A. We finished in the afternoon.

Q. In the afternoon, then. On the afternoon of the official count, there were present Mr. Frier, who represented himself—

A. Yes.

Q. And yourself and Mrs. Livingstone, your clerk?

A. Yes.

Q. And Mr. O'Connor. Was Mr. O'Connor officially—or was he representing anybody there, or was he there as a citizen?

A. He was representing Mr. Porter, because Mr. Porter didn't have a representative there. Anybody is allowed to send anybody to represent them. You don't have to have your official agent there. Isn't that right, Mr. Lewis?

MAJOR LEWIS: Well, in a way it is.

THE WITNESS: You don't have to have your official agent there.

BY THE CHAIRMAN: Q. Let me ask you this: then there was the two Wallaces?

A. The Wallaces, yes.

Q. Was that the sum total of all who were present?

A. That is all, yes.

Q. Well, when this tabulation took place, where did Mr. Frier sit? How were you sitting when this thing took place?

A. Mr. Frier was sitting right across the table from me. I had a table about the size of a banquet table.

Q. Like this table here?

A. Yes, it wouldn't be quite as wide, I guess about this wide, and he was sitting at the other side.

Q. Would you be sitting about where I am sitting, so to speak?

A. I was here and he was there (indicates). He would be where this gentleman is.

Q. He would be sitting right opposite you across the table?

A. Yes.

Q. Who else was sitting at the table?

A. No one else.

Q. Just you and Mr. Frier?

A. Yes.

Q. Then between the two of you, you must have done this. Did you take the certificate—then you took the—

A. I took the certificate and put it on the table and read it off.

Q. Then where was Mrs. Livingstone?

A. Mrs. Livingstone was sitting over here at the side.

Q. You did the writing, did you?

A. No, I didn't do any writing at all.

Q. Then, who put down the figures as you would add them up?

A. Mrs. Livingstone.

Q. Oh, Mrs. Livingstone? She sat there and you read off the figure?

A. Yes, I read them off.

Q. And Mrs. Livingstone wrote them down?

A. Yes.

Q. And then afterwards you took and totalled that up?

A. Well, yes, we had an adding machine there.

BY MR. JOLLIFFE: Q. And, Mr. McCabe, as you read out the figures, Mr. Frier was also writing them down, wasn't he?

A. He was also there.

Q. Writing those figures down?

A. Yes, he wrote them down.

Q. Yes, he kept track of what you were reading out?

A. Yes.

Q. And your clerk did the same thing?

A. No, I think she was adding them up on the adding machine.

BY THE CHAIRMAN: Q. I see the point. As you read them off, she would total them on the adding machine?

A. And she gave Mr. Frier a count of it after.

Q. So each certificate as it came in, did you and Mr. Frier examine it, take it out of the box and read off the total?

A. No, Mr. Frier didn't examine it unless he wanted to. They were right in front of him, but I don't remember whether he examined any or not.

BY MR. CALDER: Q. Mr. McCabe, how many of those certificates were missing?

A. There were quite a few. I don't remember how many, but quite a few.

BY THE CHAIRMAN: Q. Where they were missing, what did you do—go to the box and take it from the poll itself?

A. You see, we took everything out of the box and I picked out the polls—

statement of poll. Where there wasn't any statement of poll, we looked in the other statements of polls that were signed by the Returning Officers on the night of the election.

BY MAJOR LEWIS: Q. In the ballot book, you mean?

A. No, in the ones that were handed to me.

BY MR. CALDER: Q. Can you stop at that point, Mr. Chairman? Had you, Mr. McCabe, looked at the D.R.O. certificates, you would have got the right figures that were confirmed by the judge; had you looked at the face of the envelope in which the ballots were contained, you would have got the right figures?

A. Had I looked where?

Q. On the face of the envelopes in which the ballots were contained for each different candidate; in this particular poll, those two figures coincide.

MR. GRUMMETT: That is right.

BY MR. CALDER: Q. It is put on the certificate of the D.R.O., and it is on the envelope for each candidate; those two figures were confirmed on the judge's recount?

A. If I remember rightly, and if you remember when making a recount—you gentlemen were all present at the recount, were you not?

A MEMBER: No.

BY MR. CALDER: Q. Three of us were.

A. A lot of them did not have a marking on, not even what subdivision they were, so we couldn't go by this.

BY MR. DENNISON: Q. May I ask at that point, how did you know a lot of them didn't have markings?

A. Because they were there right in front of me, and I had hold of them.

Q. So you did examine some in addition to that?

A. I must have examined some, because I remember that.

Q. As I recall at the recount there were not more than probably 10 out of the whole group—would you say that, Mr. Stewart?

MR. STEWART: About ten.

THE WITNESS: That didn't have any marks?

BY MR. DENNISON: Q. There weren't more than ten polls in which the number of ballots were not written on the envelope?



A. Well, there were some, I remember that. I do not know how many.

Q. You must, therefore, have noticed some of the other envelopes where the numbers were written on?

A. Yes, I must have.

Q. And you still insist you at no time checked that with your Form 40 to make sure you had accurate figures?

A. I didn't have Form 40 with me at all at that time, didn't even have the blank form.

Q. But the day you filled in Form 40 was the day you took these envelopes out of these ballot boxes and put them in the big wooden box to ship them to Major Lewis?

A. Oh, no, they were put in the day of the official count, in the big wooden boxes.

Q. They were put in the big wooden boxes the day of the official count? Was that the day Mr. Frier was there?

A. Yes.

Q. You put them in the big wooden box?

A. I put them in the big wooden box, yes.

Q. And at that time, you say you noticed some had no numbers written on them of votes?

A. Yes, I remember that.

Q. So you examined some of those envelopes?

A. I must have, yes.

Q. But you didn't, you still insist, check the envelopes that had the number of votes written on them with the Form 40 that you were filling out?

A. I wasn't filling out Form 40 when I had the envelopes there. The envelopes were in the big box.

MAJOR LEWIS: Mr. Dennison, I believe you are at a misapprehension, and you and the witness are at cross-purposes. Mr. McCabe is talking of the day he made the official count and declared Mr. Porter elected. It was six days later than he made out Form 40.

BY MR. DENNISON: Q. But he said not, he said he filled in Form 40—now, when did you fill in Form 40?

A. I don't remember the day, but it was after, maybe within two weeks after the official count.

Q. And at that time you already had the envelopes in the big wooden box, had you?

A. The envelopes were in the big wooden boxes, yes.

Q. At that time?

A. Yes. Had been in it for a week or two.

Q. They had been in there and locked?

A. Yes.

Q. And sealed for a week or two?

A. Not sealed, but locked. I sealed them before I returned them.

Q. When you made Form 40, did you have a certificate for every poll?

A. The Form 40?

Q. Yes, the day you filled Form 40 out?

A. Yes, we had a certificate for every poll.

Q. For every poll?

A. Yes.

Q. So there was no reason, then, to open that big box and look on the envelopes, is that true?

A. No reason, no.

Q. No reason?

A. No.

Q. What happened to these certificates after you filled in Form 40?

A. Well, if I didn't put them in the box, I tore them up, I guess.

Q. You think you tore them up?

A. I don't remember just now.

Q. Do you remember destroying any of them, or tearing them up?

A. I don't remember, no. I don't remember what I did with them.

Q. You said you might have torn them up?

A. I might have, yes. If they were not in the big box, I might have done that, because I was using them as work sheets to get the figures for Form 40 from.

BY MR. DENNISON: Q. Now, should not you have included in the big box the material of that kind?

A. Not my working sheets, I would not think.

Q. No, but the certificates?

A. Not after I had them on the Form 40. I could not see there was any necessity for it. I do not know whether I put them in the big box or not.

MR. GRUMMETT: He was not making the Form 40s then.

BY MR. DENNISON: Q. The big box was closed up before you made out your Form 40?

A. Yes. It was locked. It could have been opened, to put other things in it.

Q. You mean to say at no time did you compare the figures on the certificate with the figures on the envelopes you put into the big box?

A. Not with the figures on Form 40.

Q. No, I am talking about the certificate now?

A. I must have compared some of them.

Q. You must have compared some of them?

A. I must have compared some of them with the envelopes, surely.

Q. Did you find if you did compare some of them, any discrepancies then?

A. I did not find any discrepancies at all.

Q. No change in the figures at all?

A. No.

Q. Do you remember if any of these certificates looked as if they had been changed?

A. No, I certainly did not. If I have noticed anything like that, I would have gone into it further. If there had been any suggestion that any of them had been changed, I would have gone into it further.

Q. In general, on election night, when your Deputy Returning Officers

brought their ballot boxes and their certificates to you, they handed them to you personally, did they?

A. Yes, generally; in at the door, yes.

Q. In at the door?

A. Yes.

Q. And it was those certificates you got, and those certificates you had the day you made up Form 40?

A. I had some of them, yes.

Q. You just told me you had them all—

A. I had all the certificates. They were not all for that night. There were some I got out of the box.

Q. You had to look in the box to find some of these certificates?

A. To find a statement of the polls. Is that what you are talking about?

Q. No, I am talking about the certificates—

MR. GRUMMETT: Form 36.

BY MR. DENNISON: Q. Yes, it is certificate, Form 36?

A. That is not official—what I took my report from. The statement of the poll was not put on the certificate I am referring to. It is similar to that (indicating), but not the same.

MR. OLIVER: Mr. Chairman, I want to know if the certificate from which Form 40 is compiled, according to the Elections Act, supposed to be put into the big wooden box.

MAJOR LEWIS: All papers from an election, once the election is concluded and final tabulation is made. Then they are all supposed to be put into the wooden box and returned to the Clerk of the Crown in Chancery. That is, except this; you have to remember that the statement of the poll which is included by the Deputy Returning Officer in the ballot box, is the official return from each subdivision.

In addition to that, there is this other form filled out for the convenience of the candidates, and one is handed to the Returning Officer that night and there is a press statement filled out at the same time. The official statement is the return of the poll.

MR. OLIVER: I would think, Mr. Chairman, that the certificate or statement, or whatever you call it, from which Mr. McCabe made up the Form 40, should be put in the box.

MAJOR LEWIS: The official statement, yes. There is an official statement in the poll clerk's book, which is signed by the Deputy Returning Officer, and his poll clerk.

MR. OLIVER: And it is from that statement, the Form 40 is compiled?

MAJOR LEWIS: From that statement the Form 35—one of the last ones.

MR. JOLLIFFE: There is another certificate which is supposed to go into the ballot box also.

MAJOR LEWIS: Yes. Form 35 consists of the statement in the poll book; another statement signed by the Deputy and his clerk, which is included in the ballot box, and the others are copies which are furnished to the candidates.

THE WITNESS: As I remember now, we had to use the poll book to find some of the results.

MR. ROBSON: Major Lewis, the statement which the Deputy Returning Officer hands to the Returning Officer on election night; is that put into the big box and sent back to you or is it his property?

MAJOR LEWIS: No. There is a statement in the ballot box, and another in the poll book.

MR. ROBSON: It is not necessary for that statement, handed to him on election night, to be put in the big box and sent back to you.

MAJOR LEWIS: No, that is the copy given to him for his convenience.

THE CHAIRMAN: Major Lewis, I would like to straighten this out. This Form 40 (indicating) is a return made to the Clerk of the Crown in Chancery, for official purposes?

THE WITNESS: That is right.

BY THE CHAIRMAN: Q. Where does the Returning Officer get these figures? On the day of the official count, he goes over the various papers in the presence of the candidates or agents, and he totals those, and declares that so-and-so is elected?

MAJOR LEWIS: That is right.

THE CHAIRMAN: He is given a period of time to fill out the official return?

MAJOR LEWIS: Under the Act, it is the sixth day after he makes his official count.

THE CHAIRMAN: He just fills that out himself? He does not have to have anybody present at the time he does that—particularly?

MAJOR LEWIS: No, but the candidates are entitled to be present or represented.

THE CHAIRMAN: When Mr. McCabe, or any other Returning Officer, would fill out Form 40, which is done six days after the official count, where does he get his tabulation? From the official figures he makes out at the time of the official count?

MAJOR LEWIS: Perhaps you had better ask the witness that question.

BY THE CHAIRMAN: Q. Where did you get that from, Mr. McCabe?

A. What is that?

Q. On the day on which Mr. Frier and Mrs. Livingstone, and the two Wallaces and O'Connor were present, did you make your official count?

A. Yes.

Q. And declared Mr. Porter elected?

A. Yes.

Q. Then, subsequently you made up Form 40, some six days after that?

A. Yes.

Q. Who would be present with you at that time?

A. There would not have to be anybody present.

Q. Who was present?

A. I do not know whether there was anybody present at all. I do not think so. I think it was just Mrs. Livingstone and myself. We kept the door locked after that when we were working, so as not to let anybody in.

Q. Where did you get your figures from to fill out Form 40 on that occasion?

A. From the statements of the polls.

Q. From the statements you made out on the night of the official count?

A. On the day of the official count, yes. They were brought out of the ballot box. In some cases, where we had to use the poll book, I wrote on a slip of paper "Subdivision 50, Ward 3," and the result. We had to use the ballot box for that.

Q. When you filled out Form 40, your work sheets or certificates which had been used at the official count—you just recapitulated those into Form 40; is that it?

A. Yes.

BY MR. WISMER: Q. Mr. McCabe, when the ballot boxes were delivered to you on the night of the election—I presume they were all delivered that night?

A. Yes.

Q. Had the D.R.O.'s sealed them?

A. They were sealed, yes.

Q. When the day of the official count came along, who was it who actually, physically, handled the box?

A. On the day of the official count? The two Wallaces had a hammer and a screw driver and keys. It was up to them to open up the box.

Q. To break the seals?

A. They did. I gave permission to open up the box.

BY THE CHAIRMAN: Q. It was done in front of you?

A. Oh, yes, I was less than ten feet away.

BY MR. WISMER: Q. Were all the boxes sealed?

A. They should have been.

Q. Were they?

A. I think they were, yes.

Q. What did you do on election night with the boxes?

A. What did I do with them?

Q. Yes?

A. Handed them over to the fellows, and they sealed them.

Q. Who were the "fellows"?

A. A fellow by the name of "Joe" Farrell and Armand Durant.

Q. And they affixed the seals?

A. They sealed them.

Q. After all, a box has to be sealed by the D.R.O.; I presume you conducted that, when they came in?

A. It does not have to be an official seal on it.

Q. It does, according to The Election Act, section 116?

A. A wax seal?

Q. Yes?

A. They sometimes seal them with paper, with initials on it, or something that kind.

Q. Was the seal of the same kind on all the boxes coming in? Some sort of a seal was on them?

A. Some sort of a seal, yes.

Q. You affixed your seal?

A. I stamped it with—I think it was either a nickel or a quarter. It was a wax seal.

Q. You did that yourself?

A. No, I was sitting at the table. The boys did it.

BY MR. JOLLIFFE: Q. Who were the boys?

A. Mr. Farrell and Mr. Durant.

Q. Who were they?

A. They were helpers, who were helping me.

BY MR. WISMER: Q. They were employed by you?

A. Yes, just for the day.

Q. They were paid for their work?

A. Oh, absolutely.

Q. They were people delegated by you, and each box, as it came in, you checked to see that the D.R.O. had sealed it?

A. Yes.

Q. And then you ordered them to seal it?

A. I did not order them individually. That was their job.

Q. You know that all the boxes were sealed?

A. Oh, yes.

Q. In other words, from the time they came to you, until they were opened by the Wallaces on the day of the official count, those boxes had two seals on each of them?



A. I do not know whether they had two. I know they had mine, anyway.

Q. So that no one could have gotten into those boxes without breaking at least one seal?

A. Yes.

Q. From the time they were delivered to you on election night, until the official count?

A. That is right.

Q. No chance of that at all?

A. No.

BY MR. JOLLIFFE: Q. Mr. McCabe, for the information of the Committee, I wonder if you could tell us something about the boundaries of this Riding. By what is it bounded on the east?

A. Sherbourne Street.

Q. Sherbourne Street?

A. Yes, and it goes on a crooked line up through Rosedale.

Q. And how far north does it go?

A. To the Belt Line, the old Belt Line.

Q. That would be north of St. Clair Avenue?

A. Yes, up at the end of Mount Pleasant Cemetery.

Q. And nearly to Mount Pleasant Cemetery?

A. Yes.

Q. And to the west, what is it bounded by?

A. By Bay Street and Avenue Road.

Q. We are almost in the Riding here now?

A. We are on the wrong side of the street.

Q. And it runs down to the bay, does it not?

A. Yes.

Q. And your office was located at 339 Church Street; is that right?

A. Yes.

Q. About where would that be on Church Street?

A. That is about Gerrard; just south of Gerrard.

Q. Just south of Gerrard St.?

A. Yes.

Q. On Church?

A. Yes.

Q. Near Simpson's warehouse?

A. Near what?

Q. The big Simpson's factory?

A. That is over on another street—the next street over. It is opposite the Model School.

Q. Near the Ryerson Institute?

A. Is that on the corner of Gerrard and Church?

Q. Yes.

A. Yes.

Q. I want to clear up now one or two things about Form 40. I think you told the Chairman, in the first place, that the writing was not yours?

A. The signature is mine.

Q. Your clerk helped you fill this in?

A. Yes.

Q. And some of these figures are her's?

MR. CALDER: Let us clear that up. He said the figures were in the handwriting of the lady.

BY MR. JOLLIFFE: Q. Are the figures in the handwriting of the lady?

A. I would have to look at it.

Q. Yes, have a look at it (handing document to witness).

MR. CALDER: It appears to me that Mr. McCabe did nothing but sign it.

MR. JOLLIFFE: Yes, it looks like feminine handwriting—the figures.

THE WITNESS: They all look like Mrs. Livingstone's writing. I am not sure, but I think they are all her writing.

BY MR. JOLLIFFE: Q. Will you turn to the last page, and look at the signature on the last page?

A. Yes, that is my writing.

Q. Is that your signature?

A. Yes.

Q. That is your signature?

A. Yes.

Q. Is there a date on the form?

A. No, just the date of the election.

Q. You cannot remember exactly when you completed that?

A. No.

Q. Or when you signed it?

A. No.

Q. When Mrs. Livingstone wrote down these figures, I suppose you read the figures to her?

A. In some cases I did; in others I just copied them off our work sheets.

Q. Are you sure about that?

A. I am not sure.

Q. It is quite possible you read all the figures to her, and she wrote them down?

A. It is possible, yes.

Q. Do you remember when you sent that Form 40 to the chief electoral officer?

A. No, I do not.

Q. Well, would it be in June?

A. I imagine it would be. I imagine it would be—

Q. Could it have been in July?

A. It could have been. I do not think it was. I think it was in June, though. It would be in June, I think.

Q. Now, Mr. McCabe, I have a number of questions to ask you about certain subdivisions, and I am afraid I will have to ask the Chairman of the Committee to bear with me for a few moments.

MR. JOLLIFFE: Is there a copy of the report made on the examination? I would like the witness to see it.

MR. HARVEY: I think he has it.

MR. JOLLIFFE: Yes. I believe the witness has one there.

BY MR. JOLLIFFE: Q. Now, Mr. McCabe, would you look at the report which was prepared following the examination held in your presence on the 17th of January?

A. On the 17th of January?

Q. Yes, I think you are looking at the right form. If you will look at page one?

A. Yes.

Q. On page one and the following pages there are 25 subdivisions listed?

A. Yes.

Q. In which there was a difference between the figures found on the examination, and the figures in your Form 40?

A. Yes.

Q. You are familiar with that?

A. Yes.

Q. I just want you to follow along with me while I draw your attention to those figures.

"Polling place No. 1, Ward 2." In that subdivision, the changes—I will not go too fast. I do not want to take any unfair advantage of you, but I would like you to follow what I am talking about now.

A. Yes.

Q. In that particular subdivision, there appears to have been added to Mr. Porter's vote "21" 50 votes, giving him 72?

A. That is right.

THE CHAIRMAN: That would be 51 votes would it not?

MR. JOLLIFFE: Yes, I beg your pardon. 51 votes appears to have been added.

BY MR. JOLLIFFE: Q. And there appears to have been taken off Mr. Frier 21 votes, giving him 51 instead of 72?

A. That is right.

Q. The next one, the Chairman has already asked you about. In the next case, the only change was the addition of "100" to Mr. Porter's vote?

A. That is right.

Q. In the next one, No. 11-B; the only change seems to be an increase in Mr. Porter's vote, from 16 to 66, that is, an addition of 50 votes; that is correct?

A. That is right, yes.

Q. And there is no other change?

A. No.

Q. The next one, 12-B; the only change seems to be an increase in Mr. Porter's vote from 12 to 44; that is an addition of 32 votes?

A. That is the way it is here.

Q. And 13-A; the only change is an increase in Mr. Porter's votes from 38 to 88; an addition of 50 votes?

A. Yes.

THE CHAIRMAN: Is that not so obvious—

MR. JOLLIFFE: Let me lay a little ground work now, Mr. Chairman. I will not be very long.

THE CHAIRMAN: It is quite obvious.

MR. JOLLIFFE: That is alright. I have some questions to ask, and I want to get these differences.

BY MR. JOLLIFFE: Q. —B; the only change seems to be an increase in Mr. Porter's vote to 83, an increase of 20 votes?

A. That is what it says here.

Q. In 14-A, there is one change; Mr. Porter's vote is increased from 68 to

88, an increase of 20, and Mr. Frier's vote is decreased from 121 to 81, a decrease of 40 votes; is that right?

A. That is what it says here.

Q. In 14-B; Mr. Porter increased from 29 to 99, an increase of 70 votes; Mr. Frier's vote is decreased from 131 to 91, that is a decrease of 40; is that right?

A. That is what it says here.

Q. In 15-A, one change. Mr. Porter's vote is increased from 38 to 88, an increase of 50?

A. That is what it says here.

Q. In 15-B, Mr. Porter's vote is increased from 26 to 76, an increase of 50; is that right?

A. That is what it says here.

Q. And Mr. Frier's vote is decreased from 116 to 86, a decrease of 30?

A. What number is that?

Q. 15-B. Mr. Frier's vote dropped from 116 to 86?

A. That is what it says here.

Q. In 101-B, Mr. Porter's vote increased from 122 to 172, an increase of 50 votes?

A. That is what it says here.

Q. Now, in Ward 3, No. 16; Mr. Porter's vote increased from 29 to 79, an increase of 50 votes; is that right?

A. That is what it says here.

Q. In No. 18, Mr. Porter's vote increased from 22 to 82, an increase of 60 votes; is that right?

A. That is what it says here.

Q. And in No. 20, Mr. Porter's vote increased from 25 to 125, an increase of 100, and that is the only change?

A. That is what it says here.

Q. In 21-B, Mr. Porter's vote increased from 37 to 137, an increase of 100, and that is the only change?

A. That is what it says here.

Q. In 40-B, Mr. Porter's vote increased from 21 to 41, an increase of 20, and that is the only change?

A. That is the only change here.

Q. In 45-B, Mr. Porter's vote increased from 21 to 41, an increase of 20 votes, and that is the only change?

A. That is what it says here.

Q. In 48-A, Mr. Porter's vote increased from 35 to 75, an increase of 40 votes, and that is the only change?

A. That is the only change here.

Q. In No. 49, Mr. Porter's vote increased from 97 to 197, an increase of 100 votes; that is the only change?

A. That is the only change here, yes.

Q. And in 52-B, Mr. Porter's vote increased from 28 to 48, an increase of 20, and that is the only change?

A. A decrease of 20, is it not?

Q. No, Mr. Porter's vote, according to the D.R.O.'s certificate, was 28, and according to Form 40, it was 48?

A. Oh yes, I see.

Q. In 56-A, Mr. Porter's vote increased from 36 to 56, an increase of 20, and there is no other change?

A. That is what it says here.

Q. And in 56-B, Mr. Porter's vote is increased from 36 to 56, an increase of 20 votes, and that is the only change?

A. That is the only change here.

Q. And in No. 67, Mr. Porter's vote increased from 34 to 64, an increase of 30, and that seems to be the only change?

A. That is what it says; that is the only change here.

Q. In 68, Mr. Porter's vote increased from 37 to 57, an increase of 20?

A. That is the only change here.

Q. And in No. 80, Mr. Porter's vote increased from 33 to 53, an increase of 20?

A. That is the only change here.

Q. Mr. McCabe, can you offer the Committee any explanation why in all these 25 subdivisions, the only changes seem to be in Mr. Porter's votes, although in some cases in Mr. Frier's votes? Can you not suggest any possible explanation for that?

A. I cannot suggest any explanation of it at all.

Q. Does it not seem to you more than a coincidence?

A. I do not see there was any coincidence about it at all.

Q. You noticed in these 25 subdivisions there were no changes other than in the votes polled by the third candidate?

A. I do not know how the changes took place, and I did not know they had taken place.

Q. Now, Mr. McCabe, on the night of the election about what time did the D.R.O.'s start coming with their returns?

A. Oh—what time was the election over? 7 o'clock?

Q. Yes.

A. I would guess they would start to come in about a half an hour after that.

Q. About 7.30?

A. 7.30 or 8 o'clock—around that. I do not just remember the time.

Q. Did you have a radio in your office?

A. No.

Q. You did not?

A. No—not working.

Q. You did have a radio?

A. There was a radio there, but it was not working.

Q. It was out of order?

A. Yes.

Q. Do you remember who was the first D.R.O. to come into your office?

A. I have no idea at all.



Q. You do not remember that?

A. I have no idea at all.

Q. You have no recollection of who came in first?

A. I have no idea of who it was.

Q. Well, would it be correct to say that among the first to arrive of the D.R.O.'s were those who were nearest to your office?

A. Probably it would.

Q. That would probably be the situation?

A. Probably.

Q. And those who were farther away would come in later on in the evening?

A. Probably, yes.

Q. Some of the D.R.O.'s were a couple of miles away?

A. Yes.

Q. Some would be north of St. Clair Avenue?

A. Yes, some would be north of St. Clair Avenue; a couple of miles; two and one-half miles.

Q. I do not suppose you would recall where all the 25 polls I have gone over were located?

A. Where they were located?

Q. Yes?

A. Other than on the Proclamation.

Q. I will hand you the Proclamation, and you can say where they were located?

A. Yes.

Q. The first one I mentioned, No. 1, in Ward 2; that was 68 Sherbourne Street?

A. That is right.

Q. And that would be very close to your office?

A. Not so close. It is over on Sherbourne Street, and down below Queen Street; down near King Street.

Q. It would be near the corner of Queen and Sherbroune, and the D.R.Q. would have to go from there to your office at Church and Gerrard?

A. Yes.

Q. Then the next one, No. 10; that was at No. 208 George Street, was it not?

A. Yes.

Q. Will you tell the Chairman where 208 George Street is?

A. 208 George Street is above Dundas, I believe.

Q. Pretty close to Gerrard?

A. It would be close, yes.

Q. And just a few blocks from your office?

A. Yes.

MR. CALDER: In order to shorten this, Mr. Chairman, could we have it in terms of blocks?

BY MR. JOLLIFFE: Q. About how far from your office at Gerrard and Church Streets would 208 George Street be?

A. It would be about three or four blocks.

Q. Three or four blocks from your office?

A. Yes.

Q. And the next one, No. 11-B, was at 203 George Street?

A. Yes, that is right.

Q. Just about the same location?

A. Yes.

Q. Three or four blocks from your office?

A. Yes.

Q. And 12-B was at 35 Pembroke Street?

A. That is right.

Q. And where is 35 Pembroke Street?

A. Pembroke starts at Shuter Street; it would be north of Shuter Street.

Q. How many blocks from your office?

A. About six blocks—from four to six blocks; around there, some place.

Q. And 13-A was at 501 (a) George Street?

A. That is right.

Q. And that would be, as I think you said before, about six blocks from your office?

A. Three or four blocks.

Q. Three or four blocks?

A. Yes.

Q. And 13-B was also at 301 (a) George Street; is that right?

A. There is 13-B.

Q. It would be 13?

A. Yes. Oh yes, "A" and "B". Yes, that would be in the same house.

Q. Three or four blocks from your office?

A. Yes.

BY MR. JOLLIFFE: Q. Three or four blocks from your office?

A. Yes. They are in the same house.

Q. And 14-A and B were at 100 Pembroke Street?

A. Yes.

Q. That would be further north on Pembroke, about how many blocks from your office?

A. About four blocks.

Q. About four blocks?

A. About that.

Q. 15-A and 15-B were at 298 Sherbourne Street?

A. Yes.

Q. That would be how close to your office?

A. That is right near the corner of Gerrard and Sherbourne.

Q. Just about two blocks away?

A MEMBER: One block.

THE WITNESS: It would be—Church—Jarvis—Mutual and Church, that is four blocks.

Q. Four short blocks?

A. Four blocks.

Q. Short blocks?

A. I don't know whether they are short blocks or not.

Q. Oh, you know that part of the city very well?

A. Well—

Q. Five minutes' walk?

A. I'd hate to do it in five minutes.

Q. Well, it is certainly less than 10 minutes.

A. About 10 minutes' walk.

Q. 101-B was at 33 Summerhill?

A. 101-B? Ward 2?

Q. Yes, Ward 2.

A. Yes.

Q. 33 Summerhill?

A. That is right.

Q. That would be about how far from your office?

A. I wouldn't like to judge that.

BY THE CHAIRMAN: Q. Isn't that in Rosedale?

A. North on Yonge Street.

BY MR. JOLLIFFE: Q. Just off Yonge Street?

A. Just off Yonge Street, north of Rosedale there.

Q. Just off Yonge, north—?

A. North of Roxborough there.

MAJOR LEWIS: North of the old C.P.R. Station.

BY THE CHAIRMAN: Q. That would be in the extreme north end of the Riding?

A. No, south.

BY MR. JOLLIFFE: Q. No, the witness said the extreme north end of the Riding would go up north of Mount Pleasant cemetery. The D.R.O. at 33 Summerhill, if he didn't have a motor car, would be able to take a Yonge street car down Yonge to Gerrard, isn't that so?

A. That is right. And walk over.

Q. And walk over. That would take about how long?

THE CHAIRMAN: I remember being in hospital one time away up at St. Andrew's hospital in Rosedale, and Summerhill Avenue was up in there some place. My recollection is you had to walk over quite a distance to Yonge Street.

THE WITNESS: There is Summerhill Gardens over there too.

MR. JOLLIFFE: No, Summerhill gives easy access to Yonge.

MAJOR LEWIS: Summerhill runs east from Yonge and there is a break in there.

THE WITNESS: A couple of miles from the office.

MR. JOLLIFFE: The western section of Rosedale is in St. David Riding.

MAJOR LEWIS: No, St. George Riding.

BY MR. JOLLIFFE: Q. I mean the eastern section is in St. David, Mr. Dennison's Riding. Now, in Ward 3, Mr. McCabe, your polling place for No. 16 was at 56 Bond Street, is that right?

A. For which one?

Q. No. 16?

A. That is right, yes.

Q. 56 Bond Street?

A. Yes.

Q. That would be near St. Michael's Cathedral?

A. Across the road.

Q. Across the road from St. Michael's Cathedral? Everybody knows where that is. How far would that be from your office?

A. If you want to count a block over to Church Street, one block, and up Church to Gerrard is two more—three more.

Q. About four blocks, right. Polling place No. 18 was at 123 Bond Street, that would be even closer, wouldn't it?

A. That would be closer, yes.

Q. Polling place No. 20 was 92 Gerrard Street East?

A. Around the corner.

Q. That would be—just around the corner from your office, two minutes' walk, right? Polling place No. 21-B, 246 Jarvis Street, about three minutes' walk, Mr. McCabe?

A. 246 Jarvis, oh, that is down Jarvis quite a bit.

A MEMBER: 240 is the Westminster Hotel.

BY MR. JOLLIFFE: Q. 240 is the Westminster Hotel; it can't be down Jarvis very far.

A. I don't remember just where it is now. Down Jarvis some place.

BY MR. GRUMMETT: Q. At Carleton?

A. More than two or three minutes' walk.

Q. More than two or three minutes.

A. About five minutes.

THE CHAIRMAN: May I ask—

THE WITNESS: What is the point of this, anyway?

THE CHAIRMAN: Wouldn't it depend on the amount of votes to be counted and that sort of thing? I have a rural riding and sometimes votes that come from 15 miles out of Lindsay are in Lindsay before the Lindsay polls are counted, because there's hundreds of votes in Lindsay polls. Some of these votes (indicates) you have 60, 40 and 22, there's 122 votes; and here's another poll right below it that has nearly 300 votes in it. Wouldn't that make the difference?

MR. JOLLIFFE: Mr. Chairman, we can argue the matter later, but at the moment I would like to ask the witness some questions. I would like to know where the polls are located.

THE CHAIRMAN: There are so many intangibles.

MR. JOLLIFFE: That is a matter of argument. At the moment, I am asking questions.

THE CHAIRMAN: Well, O.K.

BY MR. JOLLIFFE: Q. No. 40-B was at 22 Breadalbane?

A. 40-A?

Q. 40-B, 22 Breadalbane?

A. That's right.

Q. That would be near Yonge Street, wouldn't it, 22 Breadalbane?

Breadalbane is the first street below Wellesley, not very far from here. It is near where the old Yonge Street firehall is, is that right?

A. I am not familiar with that.

Q. It would be about due east of us, wouldn't it?

A. Yes, about that.

Q. And near the corner of Yonge Street?

A. Near Yonge Street, yes.

Q. Possibly ten minutes from your office?

A. Oh, longer than that. A ten-minute walk?

Q. Yes.

A. Further than that, longer than that.

Q. It wouldn't be any longer than that by motor car?

A. Oh, I don't know—I didn't—

BY MR. DENNISON: Q. About five blocks?

A. I didn't test the distance out.

BY MR. JOLLIFFE: Q. Would it be 5 or 6 blocks?

A. More than that, wouldn't it?

Q. One block to Church, and then straight down Church to your office.

MR. GRUMMETT: Five minutes.

THE WITNESS: It is a pretty long walk to Church and Yonge.

Q. 45-B is 25 Wood Street; where is that?

A. Wood Street is the first above Maple Leaf Gardens there.

Q. Would it be between Yonge and Church?

A. No. 26?

Q. Yes.

A. Yes.

Q. It would be about four blocks from your office at most?

A. It would be about a ten-minute walk, yes. I'll tell you right now that the last box I got in that night, the very last one, about half past eleven, was only up on St. Joseph Street, if that is what you are trying to find out.

Q. But it isn't one of the polls we have had any trouble with, is it?

A. It is not which?

Q. It is not one of the polls we have had trouble with?

A. Oh, if you are talking about what time—

Q. That is what I am talking about at the moment. It came, you say, very late in the evening?

A. The last one that came in, the very last one, 130 or 40, was it?

Q. We will come to that later. No. 48-A was at 100 Maitland. Maitland is also in the vicinity of Maple Leaf Gardens, is it not?

A. It is up a few blocks farther, yes.

Q. It is about two blocks north of Maple Leaf Gardens?

A. Two or three blocks.

Q. And 100 Maitland would be close to Church?

A. Yes, it would be about in the middle of the block.

Q. Ten minutes from your office?

A. I don't know how long it would take.



Q. No. 52-B, 10 Wellesley Street; right?

A. That's right.

Q. That would be near the corner of Yonge?

A. I think that is—yes, 10 is right near Yonge. The first house.

Q. And everybody knows, I think, where Wellesley Street is. No. 56-A,  
13 Charles Street?

A. Yes.

Q. Charles Street is—?

A. Running east from Yonge.

Q. About four blocks north of Wellesley; right?

A. Around that, I guess. Up near Bloor, first south of Bloor.

Q. And 13 Charles East would be about 1 minute from the street car?

A. About a mile from the office.

Q. About a mile from the office?

A. Charles Street to our office, yes, that would be about a mile.

Q. 56-B was at the same address. No. 67, 48 Cumberland; where is  
Cumberland?

A. Cumberland runs east—or west off Yonge, north of Bloor.

Q. Yes. Just north of Bloor?

A. Two or three blocks.

Q. 48 Cumberland would be very close to Yonge?

Q. Yes. Just north of Bloor?

A. Two or three blocks.

A. In the middle of the block, between Bay and Yonge.

Q. No. 68, 12 Scollard; is that near Yonge and Davenport?

A. Scollard, yes, it is up towards Davenport.

Q. No. 80, 58 Birch?

A. Birch? That is away up Yonge.

Q. What do you mean "away up Yonge"?

BY MR. DENNISON: Q. First north of the C.P.R.?

A. North of the C.P.R.

Q. First north of the C.P.R.?

A. No, I didn't say the first. It is up there some place.

BY MR. JOLLIFFE: Q. Mr. McCabe, you say you don't remember when these returns came in? I don't blame you for that.

A. I just remember the last one. I had to go get it, in fact.

Q. As far as these 25 polls are concerned, you don't remember when they came in?

A. Haven't the least idea, no. They came in from all over the riding different times, some from the north and—

Q. But ones closer to your office had a tendency to come in first?

A. For the first few minutes. The first few might have, but after that they were all over the riding.

Q. I suggest some of these polls were among the first you received?

A. Some of those were?

Q. Yes.

A. I guess they would be. They are close. Some of them would be.

Q. That is right, and I suggest to you also in all these polls except one, Mr. Frier was in the lead—you notice that, didn't you?

A. I don't know.

Q. You didn't notice that?

A. I didn't notice it, no. Do you want me to go over it?

BY MR. GRUMMETT: Q. Mr. McCabe, going back to the official opening of the boxes, when you opened the boxes, you expected to find Form 35 in the box, did you not?

A. To find which?

Q. Form 35.

A MEMBER: 36.

THE WITNESS: I didn't find it in all cases, no. It should have been there, but it wasn't there in all cases.

BY MR. GRUMMETT: Q. That's the one the D.R.O. puts in the box?

A. That is the statement of poll, is it not?

Q. The statement of poll, yes, the tabulation of votes for each candidate?

A. Yes.

Q. Now, if you didn't find the form in the box, what was your next step?

A. Well, to save time, I think we either looked at the ones we got in—

Q. On the evening—

A. On the election night.

Q. —of the election; in order to be correct, and to have the correct vote?

A. When we couldn't find either, we looked at the poll book.

Q. I was going to suggest to you, in order to be correct, would not the proper procedure have been to look at the poll book?

A. Well, not necessarily.

Q. Why not?

A. Well, we had their signed statement there.

Q. You also had in the box the envelopes containing the votes given for each candidate, did you not?

A. Yes.

Q. You had a double check?

A. In some cases, they were not marked on the outside.

Q. You had a double check in the box of the correct votes, that is you had the envelopes and you also had the poll book?

A. Yes.

Q. If you wanted to get the correct figure?

A. Whichever was handiest.

Q. Then, why did you use a return that you claim you received the night of the election?

A. In some cases the poll books were not filled out properly.

Q. How many?

A. I don't remember how many, but in most cases statement of poll in the poll book wasn't even filled out. Anybody who was present at the recount could have seen that.

MR. DENNISON: We didn't examine the poll books at the recount, Mr. Chairman. We only examined the envelopes and the ballots at the recount. The poll books were not examined.

THE WITNESS: A lot of them didn't have statement of polls in it, that is why we used my statement.

BY THE CHAIRMAN: Q. Tell me this, the statement you looked at, was that the statement that had been delivered to you, or was it a statement that might have been delivered to the candidate? For instance, to Mr. Frier or Mr. Porter?

A. No, the statement which had been delivered to me might have been the statement of poll, or it might have been Form 35—is it—the report to the candidate. Either one of those two.

Q. Suppose we put it this way—were these statements that were delivered to you your part of Form 35? As I understand it, there is a copy of Form 35 in the poll book, there is supposed to be, and then I think—

A. That is the statement of the poll, is it not?

Q. That's right, and then there is supposed to be a statement of the poll, Form 35, in the box; and then I think the Returning Officer gets a copy of Form 35, is it—or 6?

A. I asked for them.

Q. You asked for them?

A. Yes.

Q. Then, supposing—was there a possibility somebody might have taken your Form and changed your Form, unknown to yourself?

A. No. Not that I know of. I don't know of anybody that did that.

Q. Well, that is what, in a number of cases, you took the result of the poll from, for both your official count and for your Form 40, did you not? From that?

A. Yes.

Q. Let me ask this, did you change any of them yourself?

A. No, I didn't change a one.

Q. You didn't?

A. Not a one.

Q. If anybody changed them, if they were changed, they were changed by somebody other than yourself?

A. If they were changed, somebody else changed them. Not me. I didn't have anything to do with changing anything.

BY MR. WISMER: Q. Mr. Chairman, I am wondering—I think Mr. McCabe has Form 40 there?

A. Yes.

Q. Looking at the Form, I have a sample of it here, off the back of The Election Act; in making out this Form, I see it reads across the columns that you have there, it gives you a chance to show the electoral district?

A. Yes, I see it.

Q. And then the number of polling places?

A. Yes.

Q. And then spaces for the three candidates; now then, there is a section indicating the voters at each polling place?

A. The which? Which section is that?

Q. The first column gives you the electoral district, on the left.

A. But what is the section you wanted to get at?

Q. I wanted to get you into the right column; that would be the 6th column.

A. It has a heading at the top there.

Q. "Voters at each polling place"?

A. Yes, voters at each polling place.

Q. And the first section under that is, "Total number of votes polled"?

A. Yes.

Q. That is filled in on the Form, is it?

A. That's right here, yes.

Q. Then, "Number of votes remaining unpolled"?

A. Yes.

Q. And then the number of names on the polling lists?

A. Yes.

Q. That is filled in, is it?

A. Yes.

Q. Then there is the next section, "Ballot papers sent out; how disposed of at each polling place"?

A. Yes.

Q. And the first column, number of ballot papers sent out to each polling place?

A. Yes.

Q. That is the number you sent to your D.R.O.'s?

A. Yes.

Q. That is filled in, is it? And then the number of used ballot papers?

A. Yes.

Q. That is filled in?

A. That is right.

Q. In other words, in a poll where there was say 100 votes polled, that is the total vote,—you have that filled in there?

A. Well, under votes polled, maybe there might be some rejected.

Q. No, that is not this column. This column says the number that were used, the total number used?

A. Yes, that includes the rejected ones.

Q. It doesn't matter what it was, the point is that in that column the total number used is filled in?

A. That is right.

Q. And that is in. In the next column you have the unused ballot papers?

A. That is right.

Q. Then the next column is the rejected ballot papers?

A. That is right.

Q. And the next column is the cancelled ballot papers?

A. That is right.

Q. Those were all filled in?

A. Yes, all filled in.

Q. There are numbers in all of those?

A. Yes.

Q. And then the declined ballot papers?

A. That is right.

Q. And the ballot papers taken from the polling places?

A. That is right.

Q. Those are all there?

A. Yes.

Q. Well, now, as this Form is thus made out, you said you were used to making out orders, you were not an accountant, what it really means is in any polling place, this Form accounts for every ballot paper that you send out?

A. Yes.

Q. In other words, the total of used and unused, for instance, must add up to the total sent out?

A. Sent out.

Q. And you also have a record of the rejected and so on down the paper?

A. That is right.

Q. In other words, there is an opportunity for you to check in any polling place that your figure in Form 40 is correct, that your accounting of the election in any polling place, you yourself could easily find out whether there is anything wrong with the figures; is that right?

A. That is right, yes.

Q. In other words, what you have there is Form 40, when you were all through with it, you could easily check that nothing had happened, that the returns as you had made them up were all accurate; is that right?

A. I guess so, yes.

Q. Then in the making up of the official count, and in the making up of the Form 40, I think you said you in all cases had to either use what was in the boxes in the way of statements of poll, and if they were not there, this loose paper had to be used?

A. Yes.

Q. That there was always the chance you would not find in the box what you needed to make up the poll?

A. That is right.

Q. Have you checked Form 40 before sending it in that day? It is checked to account for all the ballot papers used?

A. I had a list of all the ballot papers used. I just filled that in.

Q. But did you do some arithmetic on that form to see that, at least in sample polls, the figures added up in each direction?

A. I think I did. I am not sure now, but I think I must have.

Q. But you imagine that that Form 40—

A. I must have done that.

Q. —would show if we totalled any one row all of the papers used, unused and so on would add up to the total you sent out?

A. I think so, yes.

Q. Then any of these errors could easily have been found if you had done that in—

A. No, I don't see where they could.

Q. Why not? If, in a poll where you sent out 200 ballot papers and the return came back, in some of these cases where they have found—his honour has found, say, 27 votes were polled for a particular candidate, 48 for some one else, and 100 for some one else, then suddenly in the other figures we find 127, that wouldn't allow you to add that row up; you would find 100 extra if you checked Form 40, is that not right?

A. If you add the first column with the second column, you get the third column. That is how you get them.



Q. Let us go back to polling place No. 10, in Ward 2. Have you that Form 40?

A. Yes, I have that.

Q. The figures in Form 40 are, Frier 101?

A. That is right.

Q. MacVicar 35?

A. That's right.

Q. And Porter 127?

A. Yes.

Q. That totals 263?

A. That's right.

Q. Is that right? How many ballot papers were sent out?

A. How many ballot papers were sent out? 400.

Q. 400? How many were unused?

A. All told unused, 134 unused.

Q. 134 from 400 is what?

A. 266, and there were 3 rejected ballot papers.

Q. Yes?

A. So that made it right, didn't it? 263 votes and 3 rejected—266.

Q. Wasn't that added to 500 now?

A. 500? What is the 500?

Q. Have you given me—?

A. They balance.

Q. You said you only sent out 400?

A. 263 and 3 equals 266, doesn't it?

Q. 263 and 3?

A. 266, that is what it has right here (indicating).

Q. And 134?

A. "used ballot papers, 266; unused 134".

Q. That adds up—?

A. To 400 ballot papers.

Q. Therefore there must have been 127 ballots cast for Mr. Porter?

A. That's right, according to this.

Q. And yet when the—on the D.R.O. certificate it says "Frier, 101; Mac-Vicar, 35; Porter 27"?

A. Not on the certificate. I read it off.

Q. No, but if you look at this sheet which Mr. Jolliffe has just been questioning you on, at the top of page 2—

A. Yes.

Q. It shows there the figures in the D.R.O. certificates, if you look at it a moment.

A. I am.

Q. It says Mr. Porter received 27 votes?

A. 27, yes.

Q. And that, his honour found, was the number of ballots cast for Mr. Porter in the official count the other day?

A. That's right.

Q. Well, according to Form 40, which adds up correctly, 127 votes must have been cast for Mr. Porter; according to the ballots which were counted official by his honour, only 27 ballots were cast for Mr. Porter. How do you explain that?

A. As I told you, I don't know how you explain it, but there is 263 votes polled.

Q. Well, Form 40 adds up all right according to what you have given me in the figures—263 votes cast, 3 spoiled ballots is 266, plus 134 gives 400, which is the number of ballots issued by you to the D.R.O.'s.

A. Yes.

Q. So that adds up correctly?

A. Yes.

Q. But when the official count was made the other day by his honour, Judge Gordon, they found only 27 ballots for Mr. Porter?

A. Yes, but I took these figures from here (indicates).

Q. All right, I am not questioning the document where you took the figure from, what I am questioning is—

A. I didn't take them from the poll books.

Q. We have now reached the point, Mr. McCabe, where in this particular place, in polling place No. 10, Form 40 adds up correctly, you issued 400 ballots and you have entered that there; is that correct?

A. 400 ballots, yes.

Q. And 263 ballots were cast for the three candidates?

A. Yes.

Q. And 3 of them were spoiled?

A. Yes.

Q. That gives you a total of 266, right?

A. That's right.

Q. You received back 134 unused ballot papers?

A. That's right.

Q. That makes a total of 400, so that looks quite all right, but according to the official count last week, his honour, Judge Gordon, only discovered 27 ballots cast for Mr. Porter. That would reduce the total number of ballots cast to 163, plus 3 spoiled ballots, is 166—

A. Yes.

Q. —add 134 unused ballot papers?

A. Yes.

Q. And we have 300. What happened to the other 100 unused ballot papers?

A. Nothing happened at all, but if you subtract 266 from 400, you get 134, don't you?

Q. That's right, but—

BY MR. CALDER: Q. Did you count the unused ballot papers?

A. That's the figures I had, 266 not 166.

BY MR. WISMER: Q. You had various slips of paper from which you filed Form 40 and on that slip of paper you have told us there were these figures, Frier 101—is that what you have?

A. Yes.

Q. MacVicar, 35?

A. Yes.

Q. Mr. Porter, 127?

A. That's right.

Q. Which totals 263?

A. Yes.

Q. And you say it says in Form 40 there, 3 ballots were spoiled—rejected?

A. Yes.

Q. And that is 266?

A. Yes.

Q. And the number you have recorded there of unused ballot papers is 134?

A. Yes, you just subtract 266 from 400.

Q. 134?

A. Is 134.

Q. In other words, in order to check the figures, then, we will have to go look in the box to find how many unused ballot papers there are in the poll?

A. You didn't have to do that, no.

Q. But we do now?

THE CHAIRMAN: Mr. Wismer, where is this getting us?

THE WITNESS: I don't check those in the envelope. I am not to open those.

THE CHAIRMAN: Where is it getting us?

MR. WISMER: Let me continue, Mr. Chairman.

THE CHAIRMAN: Isn't this the situation—as I see it, at least, the situation we are facing is this: we have had the judge check over these ballots and he has given us an official count. There is no fooling about that, we have the judge's statement of the official count. Now, we have this, that in the compilation of those results, we have either this—on the part of the Returning Officer, we have either an intent, or we have carelessness on his part. Now, he says that he is not careless, he says that he took them from something, he says he took them from these certificates. That reduces the thing, as I see it, down to this: somebody made a stupid effort either to increase Mr. Porter's large majority of 2,700, or else somebody else made an equally stupid attempt to try to throw discredit on Mr. Porter's election.

There are those two theories which are there now. I think we want to find who did it. There is not much to be gained by checking back into figures. Of course, these things are wrong, this return is incorrect. Now, I think we should confine ourselves to this: Let us ask the witness what, if anything, he knows about what happened, and if he cannot tell us, let us call everybody else there and find whether somebody did try to increase Mr. Porter's majority from 2,700 to 4,500, or if somebody tried to "cook" these figures in order to throw discredit on his election.

Let us confine ourselves to those two points.

MR. JOLLIFFE: Form 40 is very relevant. Actually, it is a very ingenious document, because the required information in a great many different columns on Form 40, as Mr. Wismer has suggested, must check from an accounting point of view. There are checks there.

THE CHAIRMAN: That is right.

MR. JOLLIFFE: And I think we are entitled to know from the witness whether he understands that, whether he appreciates the implication of the figures in Form 40. And one thing I do want to get from him, why not fill in the columns which are here? Are all the figures in there, all the columns with respect to poll No. 10? I think the members of the Committee should have that information. If the witness will read his figures in Form 40 for No. 10 from left to right; have you Form 40 there?

THE WITNESS: I have Form 40.

THE CHAIRMAN: The trouble is, where this thing arises, Mr. McCabe says at the time of the election count he took certain forms which may have been in several places—handled by other people—and he took them from these Forms, which actually are not official, they are statements which were sent to him from somebody else, and he took these forms and took the figure from them.

MR. GRUMMETT: He had no right to do that.

MR. JOLLIFFE: I think we are entitled to follow up this line of examination. I want to know what is filled in, in each and every column in connection with Form 40.

THE CHAIRMAN: We have this young lady here, and I would like it if we could finish with her to-day. It is after 12 now. Perhaps Mr. McCabe could stand down, and we could take the election clerk.

MR. JOLLIFFE: Let us get the figures first.

THE WITNESS: 263.

BY MR. JOLLIFFE: Q. That is the number of the polling place?

A. The votes polled.

Q. The total number?

A. Yes.

Q. What is the figure?

A. 263; votes remaining unpolled 119; number of the polling list 153—

Q. What is that?

BY MR. CALDER: Q. You are in the wrong column, Mr. McCabe. You are on the second line, instead of the third line.

A. Oh, I am sorry. 382.

BY MR. JOLLIFFE: Q. That is, names on the polling list?

A. The number of names on the polling list, yes. Number of ballots sent out, 400; used ballot papers, 266; unused, 134; rejected, 3. That is all.

Q. There is nothing in the other column?

A. No.

Q. Now, the left-hand column giving the number for each candidate?

A. The number of votes?

Q. Yes?

A. 101, 35, 127.

MR. DENNISON: May I just follow that up?

BY MR. DENNISON: Q. Mr. McCabe, in making up Form 40, you told me before that you had used these certificates (indicating)?

A. I had used some of them, yes.

Q. You would not be able to make up Form 40 by the use of these alone?

A. No. You would make it from the figures here (indicating).

Q. Who decides the number of ballots you allocate to each poll. You gave the number "400"; did you decide that yourself?

A. Yes.

Q. You had a record of the number of ballots you allocated to this poll?

A. I did have, yes.

Q. Now, this Form 36; that does not give the number of rejected ballots?

A. No.

Q. Where did you get the number of rejected ballots?

A. Off the envelope.

Q. Off the envelope?

A. Or on these forms. It was on the statement of the poll clerk.

Q. Then you must have had the statement of the poll clerk?

A. Yes.

Q. When you made up Form 40?

A. Yes.

Q. You told us earlier that you had already put this statement of the poll and the envelopes in the box a few days ahead?

A. No, I did not put them in the box. I did not say that at all. I did not say that.

Q. Let us get it correctly—

A. I put the contents of the ballot boxes in the big box, and kept the statement of the poll on my desk.

Q. You kept the statement of the poll on your desk?

A. For the present, and then I copied it from the poll book.

Q. You kept a statement of the poll on your desk, and kept the poll book on your desk?

A. No, put the poll book in the big box.

Q. You could not have copied it from the poll book if the poll book was in the big box?

A. No—before I put it in the big box.

Q. So at the time you made Form 40 you did have access to the poll book?

A. It was in the big box.

Q. You just said you had it on your desk?

A. No, I did not have it on my desk. I did not say that at all. I said I had the statement of the poll; that is a different thing.

BY MR. GRUMMETT: Q. Number your statements, then we will know?

A. I do not know the number of the statement of the poll.

Q. That is number 35?

A. 35 is it?

Q. Yes?

A. Alright.

BY MR. DENNISON: Q. But that would not give you the number of people who voted?

A. No. I made out a statement of the poll.

Q. On the day of the count? Of the number of people who had voted?

A. No, that is not on the statement of the poll—the number of people who voted. You have to add these up, to find how many people voted.

Q. You could not add those up until you had those figures completed?

A. If there were 51 and 18 and 72, that adds up to 141, and you would know there were 141 votes polled.

Q. Take this No. 10 poll; we have been dealing with No. 10 poll. You said that you had 134 unused ballots, and you had actually 234 unused ballots?

A. Where are they?

Q. You should have known?

A. I had 134 from my figures. 266 from 400 leaves 134.

Q. You should have had 234?

A. I guess there should be 234.

Q. Because actually there was a lot of extra votes there for Mr. Porter,



100 extra votes you reported for Mr. Porter were not in the envelope, so they must have been still on the pad of unused ballots?

A. Yes.

Q. Do you remember ever checking these pads of unused ballots?

A. No. We are not supposed to check them at all.

Q. Do you remember having ever checking—

A. Only at a recount.

Q. You told me, in some cases, you got the number of rejected ballots from the envelopes?

A. Yes.

Q. Why did you not look on the envelopes in some cases to find out the number of unused ballots?

A. In lots of cases they would not be written on.

Q. How do you know they were not written on?

A. I looked at some of them, and I noticed them.

Q. You said in most cases they were written on?

A. When you pick up four or five or six envelopes, and there is nothing written on any of them, you notice that. You would remember that, would you not?

Q. To go back to one other thing, Mr. McCabe; how long have you known Mr. O'Connor?

A. Mr. O'Connor?

Q. Yes?

A. I knew him since the election before the last one. I met him at the first election.

Q. Has he ever acted as a D.R.O. for you?

A. No.

Q. Has his wife ever acted as a D.R.O.?

A. Yes, his wife acted as a D.R.O.

Q. Where?

A. I don't know where.

Q. In one of the polls?

A. In one of the polls, yes.

Q. Was she also the D.R.O. at the advance poll?

A. I believe she was; I am not sure.

MR. DENNISON: Have we the figures of the advanced poll?

THE CHAIRMAN: It is in the Judge's report.

MR. DENNISON: May I see the Judge's report?

THE CHAIRMAN: Yes. (Document handed to Mr. Dennison).

THE WITNESS: I am not sure, but I believe she was.

THE CHAIRMAN: Mr. Dennison, what has this to do with this matter?

MR. DENNISON: Just two more questions, Mr. Chairman.

THE CHAIRMAN: I do not think I will allow this sort of thing. The purpose of this Committee is this: we have started off, and we have the Judge's report, and we have this unexplained situation where we have a difference in the report which has been filed officially with the Clerk of the Crown in Chancery—and the official—

MR. DENNISON: I am just about finished, if you do not interrupt.

THE CHAIRMAN: You are putting in a lot of irrelevant matter there.

BY MR. DENNISON: Q. Mr. McCabe, at the advance poll, at which Mrs. O'Connor was D.R.O., Mr. Frier had 5 votes, Mr. MacVicar had 6 votes, and Mr. Porter had 47; is that right?

A. I don't remember. I guess it is right, if it is there.

Q. Has Mr. O'Connor ever visited you at your house?

A. Never in my house.

Q. Never in your house?

A. Never.

Q. Where do you live, Mr. McCabe?

A. On Fern Avenue.

Q. Could you give me the name of those two people who were assisting you on election night?

A. The two Mr. Wallaces.

Q. No, this is on the night of the election?

A. Mr. Farrell and Mr. Durant.

Q. What is Mr. Farrell's first name?

A. "Joe" Farrell.

Q. And Mr. Durant?

A. Armand.

Q. Did you have anybody else employed that night to assist you?

A. Yes, I had my wife there helping me.

Q. And Mrs. Livingstone?

A. Mrs. Livingstone, Mrs. Armstrong, a Mrs. Leah—

Q. You had Mrs. Armstrong, too?

A. Yes.

Q. What position did Mrs. Armstrong occupy?

A. She was just doing clerical work.

MR. JOLLIFFE: What is her first name?

A. Mabel.

BY MR. DENNISON: Q. Mrs. Mabel Armstrong?

A. Yes. She had nothing to do with the ballot boxes.

Q. What was the other name you mentioned? Did you say a Mrs.—  
who?

A. Mrs. Leah.

Q. What is her first name?

A. Margaret.

Q. Mrs. Margaret Leah?

A. Yes.

Q. Now, on the night of the election was Mr. O'Connor present at your office?

THE CHAIRMAN: We have already been over that.

MR. DENNISON: No, not on the night of the election.

BY MR. DENNISON: Q. Was Mr. O'Connor present on the night of the election when the D.R.O.'s gave you these ballot boxes?

A. I believe he was there part of the time.

BY THE CHAIRMAN: Q. Was Mr. Frier present or his agent?

A. I do not know whether he was present or not. I do not know whether he was in or out or not.

Q. Did Mr. Frier ever visit your house?

A. No, he was never in my house.

BY MR. DENNISON: Q. Then, on the night of the election—that is what we are speaking about—do you remember any of these D.R.O.'s handing the ballot boxes—on the night of the election—to Mr. O'Connor?

A. Mr. O'Connor was trying to help out when the going got pretty tough, you know. We got very busy. Somebody would come in and put their ballot box on the floor and maybe he would lift it up on the table. That was all—just hand it to me.

Q. He handed you some of the ballot boxes that night?

A. He just handed them to me on the table.

Q. This Form 36 (indicating) was the certificate the D.R.O. gave you on the night of the election?

MR. GRUMMETT: No, form 35.

BY MR. DENNISON: Q. That is the statement of the poll?

A. Yes.

Q. Do you remember Mr. O'Connor taking that from the D.R.O., and handing it to you?

A. I do not remember right now.

Q. Would you say that he might have done it? In the case of some polls?

A. I do not know. I do not know why he would.

BY MR. JOLLIFFE: Q. He was there, helping you?

A. (No audible answer.)

BY THE CHAIRMAN: Q. On the night of the election, how many were in your office—newspaper reporters and others?

A. There would be Mrs. Livingstone, Mrs. Armstrong, Mrs. Leah, Mr. Durant, Mr. Farrell, and the press—one or two of the press—and Mrs. McCabe.

BY MR. DENNISON: Q. Could you tell me the size of your office?

A. It would be about half as big as this room—perhaps a little longer.

Q. In the case of most of these D.R.O.'s, they would give you the ballot boxes, give you the statements of the polls, and then they went home usually; is that it?

A. I guess so.

Q. Some would stay around, and some would go home?

A. I do not know where they would go.

Q. You had the room filled with people?

A. No. I did not let them in the room at all. I kept them out in the hall.

Q. There was nobody in that room other than your workers, whom you have named?

A. Yes.

Q. And Mr. O'Connor was the only agent for a candidate who was in the room, whom you remember?

A. I cannot say.

Q. You are sure he was in the room?

A. There was nobody in the room, only my workers. Mr. O'Connor, as far as I can remember, was never in the room.

Q. He was never in the room?

A. No.

Q. And these ballot boxes you say were out in the other room then? You just said Mr. O'Connor helped to push the ballot boxes onto the table?

A. He was in the hall, helping that way.

Q. Were these ballot boxes out in the hall, or were they left in another room?

A. They were in the room.

BY THE CHAIRMAN: Q. He pushed them through the door; is that it?

A. Yes.

BY MR. DENNISON: Q. Then he must have been in the room—

A. I tell you he was not in the room. He picked them up in the hall, and maybe lifted them up onto the table. I had the table cross the door so they could not get into the room, and nobody got in the room. They would come to the door and put down the ballot boxes, and maybe he would pick them up, and put them on the table.

Q. This would be a narrow door, and there would be just room for two or three people at the door?

A. Yes.

Q. And one of those would be Mr. O'Connor—

A. He was not at the door all the time. When we were busy, and the rush came on, maybe he was helping in the hall; he would be telling them to have their papers ready and to put their ballot boxes up on the table.

Q. He told them to have their ballot boxes and papers ready to hand to you?

A. Yes.

Q. You are responsible, I take it, for these mistakes, until we discover somebody else responsible? Would there be any possibility, in your mind, that Mr. O'Connor could have added, in the case of Mr. Porter, a "1" in front of that "27"?

A. No possibility.

Q. You say there was no possibility of that?

A. No possibility.

Q. So it must have happened in your office right after that?

A. I do not know where it happened. It could have happened before it was given to me.

BY THE CHAIRMAN: Q. Do you think anybody else might have added the "1"?

MR. OLIVER: Somebody did.

THE WITNESS: I do not remember noticing any which were changed.

BY MR. DENNISON: Q. Have you any reason to suspect your D.R.O.'s might have "upped" those figures?

A. I would not say that.

Q. Who recommended the appointment of the D.R.O.'s? Were they recommended by yourself?

A. I appointed them from recommendations from the three candidates, Mr. Frier, Mr. MacVicar and Mr. Porter. Mr. Porter recommended one or two, but the Conservative Association sent them in, and the Liberal Association, and the C.C.F. Association.

THE CHAIRMAN: This witness is a pretty fair Returning Officer, apparently, and apparently an impartial fellow.

BY MR. DENNISON: Q. As far as you know—

A. As far as I know, in lots of cases only certain members—whoever the Returning Officer happens to favour would get the job. But in my case, I favored no party. I was not partisan.

Q. You tried to be fair?

A. Yes, I gave them all a chance.

Q. Tell me, Mr. McCabe, when the statement of the poll was handed to you, along with the ballot box at the time, what did you do with it then? Did you call the numbers off?

A. The numbers I called off, I believe, at first, when we were not so busy, but when we got very busy, I handed them back to some press men.

Q. To whom did you hand your copy—your own copy?

A. I kept it.

Q. You kept it with you?

A. I might have handed it back, and one of the girls would file it.

Q. If you did that, to whom would you hand it? Mrs. Armstrong?

A. I do not remember right now. It is a long time ago.

Q. But it would be one of your workers? It would not be any agent for a candidate?

A. Oh, no. There would not be any agent in there. There were no agents in the room. I have told you that before.

BY MR. JOLLIFFE: Q. Were the newspapermen in the same room with you?

A. The newspapermen were there, yes. The newspapermen, and my workers.

BY MR. WISMER: Q. Just one other question, Mr. McCabe. Going back to Form 40, polling place No. 10, in Ward 1, and the figures which you read off; the total number of votes polled was 263; the number of votes remaining unpolled 119. Have you found that?

A. Yes.

Q. "Number of names on ballot list, 382"?

A. Yes.

Q. "Number of ballot papers sent out to each polling place"—

A. 400.

Q. "Used ballot papers, 266"?

A. Yes.

Q. "Unused ballot papers 134"?

A. Yes.

Q. "Rejected ballot papers, 3"?

A. Yes.

Q. Now, is the figure of used ballot papers "266"—does that include that figure "3"?

A. Yes.

Q. In other words, the total number of used papers was 266?

A. Yes.

Q. Will you subtract 266 from 382?

A. 382?

Q. Yes?

A. No.

Q. Why not?



A. I would subtract 266 from 400.

Q. I wonder if you would now mentally subtract 266 from 382?

THE CHAIRMAN: The Committee can do that.

MR. WISMER: I would like the witness to do it.

THE CHAIRMAN: I do not think he should do that.

MR. DOUCETT: Where do you get the figure "382"?

MR. JOLLIFFE: It is in the Form 40.

THE WITNESS: What are you driving at?

BY MR. WISMER: Q. I would like you to do that, 266 from 382 is 116, and that does not tally with the "119" remaining unpolled?

A. This "Number of names on the polling list"?

Q. That is right. That is the total number of people who might have voted?

A. Yes, who could have, yes.

Q. You see the number of ballot papers which were used; that must have been the number of people who did vote. You say that number was 266?

A. Plus 3.

Q. No, you just said the 3 were included in the 266.

MR. WISMER: Mr. Chairman, when he made up these figures, he did not make them by checking; that is the trouble.

MR. CATHCART: Where did you get the "382"?

MR. WISMER: No more than 382 ballots could have been used. Now, 266 ballots were used, according to Form 40; therefore, the number of people who did not vote was 116.

BY MR. WISMER: Q. That is where you made your mistake, Mr. McCabe, was in taking the other section. You said the total votes polled you wrote down at "263"?

A. Yes.

Q. There were rejected ballot papers, and when you made up this set of figures from some place or other, you really did not make them check?

A. I took 282 from 363.

Q. Which was not the right number?

A. Why not?

Q. 363 is what you should have used?

A. I do not see that there is any difference in the thing.

Q. In the first place, you did not know how many unused ballot papers there were; you just did the subtraction, and did not take note of them at all, and when you made up these figures, in order to make them balance, you actually used the wrong figure? Is that right?

A. I don't know whether I did or not.

Q. Apparently you did.

BY MR. CALDER: Q. Take your mind back, Mr. McCabe, to the afternoon of Friday, June 11th, the day of the official count. That is the day we are talking about.

A. The day we made the recount?

Q. No, the official count?

A. Yes.

Q. You told Mr. Grummett that when you could not find the statement of the poll, you made one up? Who made it up?

A. We took it from the poll book, or from the envelopes, where they were marked.

Q. Who is "we"?

A. I did.

Q. You, personally?

A. Yes, personally.

Q. Secondly, you said at that time, in order to save time, you did it that way?

A. Yes.

Q. You struck me this morning, Mr. McCabe,—

A. I asked Mr. Frier if it was O.K. to do that, and he was agreeable.

Q. It was your idea to do it that way, in order to save time?

A. Yes.

Q. I notice on election night, it was Mr. O'Connor who was telling people to "step along lively". Was he interested in saving time?

A. He had nothing to do with it.

Q. Wait a minute; on June 11h, at the time of the official count, who was agreeing to save time? You or Mr. O'Connor?

A. Who was anxious to save time?

Q. Yes?

A. I was. I was anxious to get the people out of there, and he was helping me.

MR. CALDER: That is all, thank you.

THE CHAIRMAN: I think the witness is mixed in his dates, Mr. Calder. He goes back to election night when he said he was anxious to get the people out of there.

BY THE CHAIRMAN: Q. On the afternoon of the official count, there was yourself, the Returning Officer, and your clerk?

A. The election clerk, yes.

Q. And Mr. Frier sat across the table?

A. Yes.

Q. And Mr. O'Connor—

A. He was standing up, passing the boxes along.

Q. You say that where certain papers would be missing, you agreed with Mr. Frier to use some other method?

A. Yes.

Q. Who did the agreeing? Mr. Frier, or Mr. O'Connor, or yourself?

A. Mr. O'Connor had nothing to do with it. Mr. Frier agreed.

BY MR. DENNISON: Q. Mr. MacVicar was there, too. Did you talk to him?

A. Mr. MacVicar was not there.

BY MR. JOLLIFFE: Q. Mrs. Armstrong was there?

A. I don't think so. I do not remember.

Q. Mr. McCabe, with regard to that Form 35, which you certainly had in some cases; Form 35 sets out all the information you have to put in Form 40, does it not?

A. Yes.

Q. I will show it to you—

A. If it is properly filled out it has, yes.

Q. It is supposed to show not only the number of votes polled for the candidates, but the number of ballot papers, altogether?

A. In lots of cases it just shows the returns for each candidate.

THE CHAIRMAN: Mr. Jolliffe, could we not have Mr. McCabe stand down and take Mrs. Livingston? It is twenty minutes to one now.

MR. JOLLIFFE: In just a minute.

BY MR. JOLLIFFE: Q. You say where the Form 35 was completed fully, you used it to make up your Form 40?

A. Yes.

Q. But in the case of most of the 25 polls, I asked you about this morning, there is no longer any Form 35 available; is there?

A. I do not know. Is there?

Q. At the time of the examination on January 17th, were you not asked as to the whereabouts of the Forms?

A. Some of them were there, yes.

Q. But a lot of them were not there?

A. A lot of them were missing.

Q. You say you tore them out and used them as work sheets?

A. No. Oh, I used them as work sheets in filling out this Form. That is where I got the "dope" from. I do not know what I did with them afterwards. If they were not in the ballot box, I probably tore them up.

Q. This was when you made up your Form 40, that you used them as work sheets?

A. Yes.

Q. You told us this morning that some time prior to making up Form 40, you put all necessary material in a wooden box?

A. Yes. I had the work sheets—if I had not the "dope" right there, on the difference of the recount, I used a plain, blank piece of paper.

Q. You mean to say you copied all this information on Form 35 on a separate piece of paper?

A. No.

THE CHAIRMAN: Apparently, where he did not have the Form 35 he would go back to the poll book and write the figures on a plain piece of paper, and put them in the calculation, in place of Form 35.

BY MR. JOLLIFFE: Q. I want to ask one or two more questions. Going back again to the night of the election, was there a telephone in the room you occupied?

A. Two telephones, yes.

Q. Two telephones?

A. Yes.

Q. And you had the newspaper men with you in that room as well as your help?

A. I had the newspaper what?

Q. You had the newspaper men with you in that room as well as your help?

A. Yes.

Q. Were they returning the results to some other place?

A. To the paper, yes.

Q. They were telephoning the results in?

A. I believe so, yes.

Q. As you gave them the results for each poll?

A. I had my back to them, but that is what they were supposed to do.

Q. Were you or was anyone in the room making a calculation as the results came in?

A. Yes.

Q. Of the standings?

A. Yes.

Q. You were?

A. Yes.

Q. Who was doing that?

A. The girls were doing it.

Q. What girls? Mrs. Livingstone?

A. Mrs. Livingstone, Mrs. McCabe, Mrs. Armstrong, Mrs. Leah. They were all helping.

Q. So from the time the results started coming in, your assistants were keeping track of the standing; is that right?

A. Yes.

Q. And after perhaps ten polls had come in, you would know what the standing was; is that right?

A. Well, we didn't—no, I don't think we were keeping right up to date like that, I mean they were—

Q. I am not saying you were keeping up to date, but you were attempting to learn as you went along how the election was going?

A. We had an idea, yes.

Q. You had an idea of how it was going?

A. Yes.

Q. And during that first hour, Mr. McCabe, who was leading?

A. I couldn't tell you.

Q. Oh, now, Mr. McCabe, surely your recollection has not faded that much.

A. I really don't remember.

Q. You don't remember who was leading during the first hour?

A. I don't remember who was leading at the end of the first hour, no. I imagine it was Mr. Porter.

Q. Well, at any time during the first hour, have you any recollection who was leading?

A. I know there were times at the first, when the first few results came in, that Mr. Frier was ahead.

Q. Yes?

A. But I don't remember for how long.

Q. You don't remember how long?

A. I didn't have the chance to worry about that. I was worrying about getting the boxes in.

Q. But you do remember, Mr. McCabe, in the early stages, Mr. Frier was doing pretty well; you do remember that, don't you?

A. I don't remember for a whole hour. Maybe the first 15 minutes, I say.

Q. For the first 15 minutes?

A. Maybe he was.

Q. And perhaps longer?

A. I don't know. I don't think so.

Q. You do remember expressing some surprise to one of the D.R.O.'s, don't you?

A. I beg your pardon?

Q. You remember expressing some surprise to one of the D.R.O.'s?

A. No.

Q. You don't?

A. No.

Q. Well, we will bring him along to refresh your memory later in this.

A. All right. What did I say?

THE CHAIRMAN: Mr. Porter got 2,700 majority, so he couldn't have been behind very long.

MR. JOLLIFFE: Mr. Chairman, since you took the time a little while ago to set out two theories, one being somebody was stupid enough—and that is a pretty good word—

THE CHAIRMAN: Sure.

MR. JOLLIFFE: —to try to add a few votes to what was already a good majority for Mr. Porter—

THE CHAIRMAN: Yes.

MR. JOLLIFFE: —and the other, that somebody was stupid enough to try to add a lot of votes so as to discredit Mr. Porter.

THE CHAIRMAN: That's right.

MR. JOLLIFFE: I am going to tell you, there is a very possible explanation which must not be excluded, and that is in the early part of the evening, on the early returns it looked as though Mr. Porter was going to be licked and somebody was stupid enough at that time to add votes to those coming in. Don't forget that theory when you are propounding theories.

THE CHAIRMAN: We will try to get to the bottom of these theories.

MR. JOLLIFFE: All three of them.

THE CHAIRMAN: How about having this young lady here? She has been very patient, sitting down there, and Mr. McCabe has been in the box a long time.

The witness retires.

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MRS. GRACE LIVINGSTONE, sworn, examined:

BY THE CHAIRMAN: Q. Mrs. Grace Livingstone?

A. That's right.

Q. Mrs. Livingstone, you were the Returning Officer's clerk at the election held last June 7th?

A. That's right.

Q. And you have heard the evidence here this morning. You were sitting back there, you could hear what was said, could you?

A. Yes, pretty well.

MR. JOLLIFFE: Pardon me, was the witness sworn?

THE CHAIRMAN: I am sorry.

THE SECRETARY: Yes, she was.

BY THE CHAIRMAN: Q. You have heard the evidence that was given concerning Judge Gordon making a count, or recount, of the ballots in this riding, and giving us a report here, and the figures as they were actually disclosed by a count of the ballots and the returns which were made by the Deputy Returning Officers, as marked on the envelopes; now in some manner or other, in the compilation of the official returns which were made, I think on the 11th of June,



some four days after the election, and afterwards translated into Form 40, which was made some days after, that is this Form here (indicates), there is a very considerable difference indeed between the totals; and there are, I suppose, at least 25 subdivisions where there are differences in the votes, as was outlined by Mr. Jolliffe in his examination of Mr. McCabe.

Could you give us, Mrs. Livingstone—could you throw any light on this, as to how those changes came about, how they took place?

A. No, all I handled was this (indicates).

Q. That is all your writing on there, is it?

A. (after examining) Yes, that is right.

Q. On the night, or rather, on the afternoon that the official count took place, you were present with Mr. McCabe, the Returning Officer, and Mr. Frier?

A. Yes.

Q. And Mr. O'Connor? And anybody else?

A. Yes, Mrs. Armstrong was there.

Q. Was that the occasion that the two helpers were there, the father and son?

A. Yes, they were.

Q. And they would bring in the boxes and the seals were broken and the papers were handed to the Returning Officer?

A. That's right.

Q. Would you describe just what took place at that time, how the votes were tabulated at that time? You made a tabulation, did you?

A. Yes, both Mr. Frier and I took the figures down together and if by chance he got it and I didn't, he gave me it, and if I got it, and he didn't, I gave him it, and our figures tallied both the same. I think Mr. Frier will verify that.

Q. Were you sitting at the table with Mr. Frier?

A. He was sitting—there was a long table here and a short table here, and he was sitting in the corner and I was on the opposite side of the small table.

Q. What happened? When the boxes were opened, just describe what Mr. McCabe did.

A. He read the three candidates' names with their votes, and we jotted them down.

Q. Did these papers all come from a box, or were some of them—

A. Well, no, some of them didn't have them in the boxes.

Q. In that case, what did you do?

A. I think they were taken out of a pile that had come in on election night.

Q. On election night?

A. Yes.

Q. And if the paper was not in the box, then it was taken from this pile that came in on election night?

A. Yes.

Q. Was that done with Mr. Frier's concurrence? Did he agree with that?

A. I believe so. I wouldn't say definitely now. I just don't remember, but I know it was done and there was no disagreement over it.

Q. No disagreement?

A. No, there was not. Nothing said then.

Q. Do you know anything about this? Do you know of anybody making any changes in any of these Forms which came in on election night?

A. Not as far as I know. I was pretty tired by then to notice anything.

Q. On election night?

A. I had been going since six in the morning.

THE CHAIRMAN: Gentlemen, do you want to ask this young lady anything?

BY MR. JOLLIFFE: Q. Just one or two questions. Mrs. Livingstone, I presume.

A. That's right.

THE CHAIRMAN: This is Mr. Stanley here now.

MR. JOLLIFFE: The famous explorer.

THE CHAIRMAN: That's right.

BY MR. JOLLIFFE: Q. Mrs. Livingstone, on the night of the election, I understand you were in the same room with the Returning Officer?

A. Yes, that's right.

Q. And who else was in the room?

A. Well, there was the two gentlemen that Mr. McCabe hired as helpers, and Mrs. Leah and Mrs. Armstrong and Mr. McCabe and myself and Mrs. McCabe and the two reporters.

Q. You don't happen to know the name of the reporters?

A. I couldn't tell you that. I believe one was from the Evening Telegram.

Q. One was from the Evening Telegram?

A. He was just a young chap.

Q. You don't know the other one?

A. No, I really don't.

Q. Did you see Mr. O'Connor that night?

A. Yes, he came in just shortly after the polls closed, and was there half an hour or three-quarters of an hour.

Q. He came into the room?

A. No, he was standing at the door. There was a table across the door.

Q. And as the D.R.O.'s handed in the box, he would be there to assist in handing in boxes?

A. I couldn't tell you. I was eating a sandwich.

Q. He was right at the door?

A. Yes, he was right at the door.

Q. Didn't he assist in putting the ballot boxes on the table?

A. I couldn't swear to it. I mean I was more interested in my food. I hadn't eaten all day.

Q. Was Mr. McCabe at that table all the time?

A. Yes, he was.

Q. All the time?

A. Yes, as far as I know he was.

Q. Mr. O'Connor for the first short while was also at the door?

A. Yes, that's right.

Q. As the D.R.O.'s came in, did you see them hand in loose certificates in addition to the ballot box?

A. Yes, I believe they had a statement of the poll which they hand—or an account of some sort, and a press report.

Q. They showed the figures?

A. Yes, that's right.

Q. And who received them?

A. Mr. McCabe, and they were sworn then.

Q. What did he do then with the loose certificates?

A. I think they were handed back and stacked on the table—like separate the press reports from the official reports.

Q. If they were handed back, they must have been handed to some person. To whom were they handed?

A. I am not just sure now. I know I took a few of them for awhile while one of the other girls was eating.

Q. You took turns?

A. That was later on in the evening.

Q. Eventually the information would reach the press?

A. There was a small press report that went immediately to the press.

Q. They used the telephone, I suppose to phone it in?

A. Yes.

Q. Do you recall some effort being made to keep track of the results on it?

A. The reporters were doing it. They had an adding machine and we would ask how it was coming, who was winning.

Q. As they did, you would no doubt find who was in the lead?

A. Yes, and they said we could get the reports of other ridings when we were not busy.

Q. In the early part when returns first came in, who was in the lead?

A. As far as I remember, it was Mr. Frier.

Q. It was Mr. Frier?

A. Yes.

Q. And do you recall any of the D.R.O.'s who were the first to come in?

A. I am sorry, I can't.

Q. Well, I realize that is a pretty tough thing to remember after all these months. Thank you.

BY MR. DENNISON: Q. I would like to ask Mrs. Livingstone if she worked for Mr. McCabe during the whole election campaign?

A. I did.

Q. Right from the time the enumeration took place?

A. Yes, that's right.

Q. And for some time afterwards?

A. Yes, I think we left about the 28th of June when we finished up.

Q. Were you there the day that the envelopes were taken out of the ballot boxes and put in the wooden box?

A. Yes, I was.

Q. You were there that day?

A. Yes.

BY THE CHAIRMAN: Q. What day would that be, the day of the official count?

A. The day of the official count.

BY MR. DENNISON: Q. That was the day of the official count?

A. Yes.

Q. That was not the day that this Form 40 was made out, was it?

A. No, that was—oh, a matter of seven to ten days later.

Q. On that day of the official count, as well as the envelopes, were the poll books put in the box too, do you remember?

A. Now, I just don't remember. As far as I know, I believe they were.

Q. As far as you know, everything that went into the box went in that day?

A. Yes, with the exception of pencils, erasers and things like that.

Q. Do you recall the box being opened again after that day, to put anything else in?

A. I believe we put the certificates of the ballots in there. I am not sure, I imagine they went in there, but I am not sure.

Q. On a later date?

A. Yes.

Q. Now, do you remember if many of the D.R.O.'s failed to bring along with them that statement of the polls?

A. Oh, I know there were a few, but as to how many, I don't know.

Q. There would not be very many, I suppose?

A. I really couldn't say.

Q. Would there be more than three or four that failed to bring that along?

A. I imagine there was now, but, as I said before, I wouldn't swear to it.

Q. So as far as you know, on Election night you gathered a pile of these statements of the polls?

A. Yes, that's right.

Q. And they accumulated on the desk?

A. Yes, that's right.

Q. And do you know if there would be any possibility that night of anyone, from the time the D.R.O. came to the door—it was blocked by a table—from that time until you left that night, do you know if there would be any possibility of anyone changing those figures that night?

A. I guess there is a possibility of anything happening, but as to myself, I never saw it.

Q. Would you say it would be difficult to do on that occasion without being detected?

A. I think it would, with the number of people that were in the room.

BY MR. WISMER: Q. Just two or three questions. You recall making out Form 40?

A. Yes, that's right.

Q. When you were making it up, did Mr. McCabe read to you the figures?

A. As far as I remember, he read me the candidates—

Q. He read off the figures?

A. The candidates' totals, and the number of rejected ballots, and then I just added them up and—

Q. Do you recall when that was done?

A. I imagine within seven or ten days after the official count.

Q. Did you do the clerical work?

A. Yes, I did.

Q. That is, putting it together and sending it off?

A. Yes, put it in an envelope and mailed it immediately when it was finished.

Q. Any idea when that was?

A. I finished up on the 28th of June, and that would be only two or three days prior to that, as far as I remember.

Q. As far as you know, then, Form 40 was mailed to the Clerk of the Crown in Chancery towards the end of June?

A. Yes, as far as I know.

BY MR. GRUMMETT: Q. When Form 40 was being prepared, how many were present?

A. I think it was just Mr. McCabe and myself.

Q. What was Mr. McCabe doing?

A. Well, I started out and filled in these columns here (indicating), and then these and totalled them across.

Q. But where did you get the information to fill in these columns?

A. From Mr. McCabe, off these sheets.

Q. Mr. McCabe was giving you this information from sheets?

A. As far as I recall, yes.

Q. Can you tell me just what kind of sheets they were?

A. They were statements of the poll.

THE CHAIRMAN: What she means is this—

MR. GRUMMETT: No, no, Mr. Chairman.

THE CHAIRMAN: O.K., go ahead.

MR. GRUMMETT: I do not think you have the right to prompt.

BY MR. DENNISON: Q. Here (producing) is Form 35, would it be that statement?

A. Yes, as far as I know.

BY MR. GRUMMETT: Q. It was a statement similar to that Mr. McCabe was using while you were filling in these forms?

A. Yes, that's right.

Q. Did you run into any difficulties at any time in not being able to get that information?

A. Well, yes, some of the times they just had the amount of votes each candidate polled.

Q. Where was that information?

A. And when they were added up there was a difference in the amount of votes polled and the number that was totalled again at the bottom. They hadn't marked in rejected ballots.

Q. What did you do then?

A. We had to look at the envelopes to see how many were rejected.

Q. You went to the big box and took out the envelopes to see how many were rejected?

A. Yes. There were only two I remember rejected, but I think you could see the error in my work where I made it.

Q. In each case, then, Mr. McCabe was using either Form 35, the one you have there—?

A. Yes.

Q. Or he went and verified his figures from the envelopes in the big box?

A. As far as I can remember, yes.

THE CHAIRMAN: Gentlemen, are there any other questions to ask Mrs. Livingstone?

BY MR. CALDER: Q. I want to be quite clear it was you, Mrs. Livingstone, who reconciled the figures throughout the columns on Form 40?



A. That is right.

THE CHAIRMAN: Gentlemen, if there are no further questions, we will excuse the witness. We want to thank you very much, Mrs. Livingstone.

THE WITNESS: Will you want me to-morrow?

THE CHAIRMAN: I think we had better leave it this way, if we need you later on, we will let you know. Is that satisfactory, Mr. Jolliffe?

MR. JOLLIFFE: All right, thank you very much.

The witness retires.

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THE CHAIRMAN: Now, gentlemen, it is one o'clock. To-morrow morning we have a meeting of the Mines Committee which is going to occupy some of us. Should we set a date for next week?

MR. JOLLIFFE: Yes.

THE CHAIRMAN: Say Tuesday?

MR. GRUMMETT: Mr. Chairman, I would like to see this investigation advanced as speedily as possible. I was served with a subpoena to appear in the Supreme Court at Cochrane in connection with a manslaughter case, as a witness, and I have to leave here next Friday evening and will be attending court for the first two or three days of the following week. I would like to be here.

THE CHAIRMAN: I wonder if we couldn't try to set as our objective a cleaning up of this matter—

MR. JOLLIFFE: By the end of next week.

MR. GRUMMETT: That is what I would like.

THE CHAIRMAN: Yes.

MR. GRUMMETT: Even if we have to hold evening sessions. It might be possible to hold evening sessions.

THE CHAIRMAN: Would you like to set it for 10 o'clock Tuesday morning? Would that be all right? All right, gentlemen, we will adjourn till 10 o'clock Tuesday.

MR. JOLLIFFE: Just a minute. Should we have some idea of the witnesses we are going on with Tuesday?

THE CHAIRMAN: Who else have we subpoenaed here?

THE SECRETARY: Mr. Michael O'Connor has been subpoenaed; Mr.

Wesley Lawford; Mrs. Elizabeth Lamb. There was no name given by Mr. Dennison, but Mrs. Lamb was D.R.O.—

MR. JOLLIFFE: Mr. Chairman, arising out of the evidence this morning, I would like to subpoena the two newspaper men who were present on the night these documents were brought into the Returning Officer's office. I don't know who they were. I think I know who one of them probably was.

MR. McCABE: I think there was only one. I am not certain of it, though.

THE CHAIRMAN: Gentlemen, as far as bringing the press into this thing, I do not like to do that. I do not think any of us want to bring the press into this thing if we can get the information from the other witnesses. Who have we there? Mr. O'Connor?

THE SECRETARY: Mr. O'Connor, Wesley E. Lawford, 236 Jarvis Street, Elizabeth Lamb, 63 Summerhill Avenue.

MR. DENNISON: I have one.

THE CHAIRMAN: Better put Mr. Frier on that.

MR. DENNISON: Yes, I think we should have Mr. Frier, and it is 209 Mutual Street, and I would like to have Mr. Hendricks or Hendrick.

THE CHAIRMAN: Who is he?

MR. JOLLIFFE: He was the D.R.O. in No. 10.

THE CHAIRMAN: I don't know that we want to go behind this thing and subpoena D.R.O.'s. After all, the judge has gone over this thing and has said the reports were correct. There is no reason, is there, we should subpoena any D.R.O.'s at the moment?

MR. JOLLIFFE: There is after all, the evidence of this witness to-day. He said he used the figures the D.R.O.'s gave him. These D.R.O.'s have a right to be heard here.

MR. GRUMMETT: We want to know whether or not the D.R.O.'s gave a different report.

THE CHAIRMAN: I think we should postpone that until we learn what went on in this room on the night of the official count. If there is any evidence to implicate any Deputy Returning Officer, let us subpoena him.

MR. JOLLIFFE: Mr. Chairman, I think you are putting emphasis in the wrong place. You speak of the afternoon of the official count, which was June 11th. I understood the D.R.O.'s turned over certain materials to the Returning Officer, not on June 11th, but on the 7th, and we are very much interested in what took place from the time they delivered the documents and ballot boxes the night of the 7th, and some subsequent date, presumably, June 11th. I

suggested the newspaper men because we heard one or two of them were in the room the night of June 7th.

They are presumably disinterested and could tell us precisely what took place that night, and who received the Certificates from the D.R.O.'s. I think they are very material witnesses. Don't you think so, Mr. Calder?

THE CHAIRMAN: Well, I would say this, mark you, if there is anything that will throw any light on this thing, I am perfectly prepared, and I think all members are, to go to the fullest extent, but I feel this—until there is shown to be some great reason for bringing these D.R.O.'s here—remember, they lose work and so on and come here at a good deal of inconvenience. Let us take the persons who were in the room and examine them and if anything is disclosed, we can go ahead and investigate.

MR. OLIVER: Who are the other persons, other than Mr. O'Connor?

THE CHAIRMAN: Let us read them off.

THE SECRETARY: Mr. Wesley E. Lawford is D.R.O. poll 12-B, Lamb, D.R.O. poll 101.

THE CHAIRMAN: Why do you want them. I see no possible reason—

MR. JOLLIFFE: I don't see how we can fail to call at least some of them after what this witness said.

MR. DENNISON: Mr. Chairman, you yourself laid down the premise at the beginning of the investigation we should start at the bottom, with the ballots. The next step is the D.R.O.

THE CHAIRMAN: You are not going to call 30 or 40 D.R.O.'s?

MR. DENNISON: No.

MR. JOLLIFFE: We are certainly going to call Mr. Lawford because he has got some evidence.

THE CHAIRMAN: I think next day we will proceed with Mr. O'Connor, Mr. Frier and who else was in the room?

MR. GRUMMETT: Mrs. Armstrong and Mrs. Leah.

THE CHAIRMAN: Let us call them and then see where the others fit into the picture, if at all.

MR. DENNISON: I think we should have Mr. Lawford and Mrs. Lamb at least. They were two polls. In the case of 101-B, there were two changes made.

THE CHAIRMAN: I think I had better have the evidence looked up in relation to those two polls, and see what relevancy there is to call in those particular witnesses. If there is a reason, if they can throw any light on it, we will

have them, but after all, we do not want to call up a great body of citizens from St. George here.

MR. JOLLIFFE: We are not suggesting that.

MR. DENNISON: We will let Mr. Hendrick go and Mrs. Lamb, if you want.

MR. CHAIRMAN: You will have a full day with the other people anyway. Let us hear them first. Leave off Lawford at the moment, get O'Connor, Frier, and Mrs. Armstrong. Anybody else who was there at the time, and the newspaper reporters, if you people want them?

MR. JOLLIFFE: Yes, we will have to find who he was.

THE CHAIRMAN: Let us know if you want him and we will have him here. That is fair.

MR. JOLLIFFE: I am willing the D.R.O.'s should be postponed.

THE CHAIRMAN: All right.

MR. JOLLIFFE: But, for example, we went into No. 10 this morning in some detail and we have the name of the D.R.O., and this witness says the figures in his Form 40 are the figures that D.R.O. gave him. We must hear that D.R.O., that is Lamb.

MR. DENNISON: Mrs. Lamb is 101-B.

MR. JOLLIFFE: 110, a man named Lane, that is the one we are talking about.

MR. DENNISON: Hendrick is in 10.

MR. JOLLIFFE: George D. Lane, Deputy Returning Officer.

THE CHAIRMAN: Then the meeting is adjourned.

Whereupon, the further proceedings of this Committee were adjourned until Tuesday, March 15th, at 10 a.m.

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#### FOURTH MEETING

Toronto, Ontario,  
Thursday, March 17th, 1949  
10 o'clock a.m.

The further proceedings of this Committee reconvened pursuant to adjournment.

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THE CHAIRMAN: Gentlemen, shall we come to order? I will ask that the roll be called.

Whereupon the roll was called by Mr. Harvey, Clerk of the Committee.

All members present excepting Messrs. Murdoch, Cathcart, Pryde and Calder.

THE CHAIRMAN: Is the Committee on Standing Orders next door?

MR. STEWART (Kingston): No, the Committee on Private Bills. Mr. Cathcart is in there.

MR. OLIVER: And Mr. Calder is in there.

THE CHAIRMAN: Gentlemen, we have four members absent on other business. Would it be desirable to proceed and allow them to read the evidence? What is your feeling about that?

MR. JOLLIFFE: You mean the other members of the Committee?

THE CHAIRMAN: Yes.

MR. JOLLIFFE: It seems to me we have to go ahead. Do we know when they will be able to come in?

MR. THOMAS (Elgin): Have we a quorum?

THE CHAIRMAN: Oh yes, we have a quorum alright. Mr. Cathcart is Chairman of the Committee on Private Bills, and will not be here for a little while, that is obvious.

MR. JOLLIFFE: Mr. Chairman, before we go on, whom have we subpoenaed for to-day?

THE CHAIRMAN: Mr. McCabe, Mr. Frier, Mr. O'Connor, Mrs. Leah and Mrs. Armstrong.

MR. DENNISON: I understood it was agreed that Mr. Locker was to be called.

MR. FROST: We have let that stand over. The Deputy Returning Officer is away on leave for the time being.

MR. MCCABE: May I say a word, Mr. Chairman?

THE CHAIRMAN: Yes.

MR. MCCABE: Last Thursday, in giving the names of those who were working in the office on the day of the election, I gave the name of Mrs. Leah. She had been working there for some days before that, but on this day she was working as a poll clerk in one of the subdivisions.

THE CHAIRMAN: On what day was that?

MR. McCABE: Election day.

THE CHAIRMAN: Election night?

MR. McCABE: Yes. I gave her name, but she was working as a poll clerk in one of the subdivisions.

MR. HARVEY: Mr. Chairman, Form 45, which is the pay sheet, shows Mrs. Margaret Leah as a poll clerk at 27 Crescent Road, on June 7th, 1948.

THE CHAIRMAN: Gentlemen, it is the intention, I believe, to call Mr. O'Connor first. He might at this time be sworn.

Gentlemen, it has just occurred to me. Mrs. Armstrong is here, and we might call her, and take her evidence, and by the time we conclude that, the Private Bills Committee may have permitted the other hon. members to come in. Is that satisfactory to you? If it is, can we call Mrs. Armstrong now?

MR. JOLLIFFE: Yes, that will be alright.

MRS. MABEL IRENE ARMSTRONG, a witness being called and duly sworn, testified as follows:

THE CHAIRMAN: Gentlemen, just to reconstruct this. I think the evidence of the Returning Officer was that Mrs. Armstrong was present in the room on the night of the election when the ballot boxes came in.

MR. JOLLIFFE: Yes, that is correct.

BY THE CHAIRMAN: Q. Now, Mrs. Armstrong, do you remember the night of the election on the 7th of June in the office of the Returning Officer, I think, on Church Street?

A. Yes.

Q. You remember that particular night?

A. Yes.

Q. Would you just describe what your job was that night?

A. When they were unlocking the boxes, I was given the keys, and I was putting them into the envelopes.

Q. The room is described to us as being a room which might be about one-half the size of this room, with one entrance to it?

A. Yes.

Q. And, I believe, two telephones?

A. Yes.

Q. And I think in the room there were a couple of newspaper reporters, together with the Returning Officer?

A. Yes.

Q. Who else was present, of the official people?

A. Mr. McCabe and Mrs. Livingstone.

Q. Mrs. Livingstone was his clerk?

A. Yes. Mrs. McCabe was also in the room, and a Telegram reporter, and two boys—two young men.

Q. Who were they?

A. I know the name of one was "Joe" but I do not remember the name of the other.

Q. Evidence has been given to the effect that there was a table drawn across the doorway to prevent the public from coming in?

A. Yes.

Q. And as the boxes came in from the subdivisions, they were placed on that table?

A. Yes.

Q. Will you just describe what took place on that occasion, as best you can recollect?

A. When the boxes were brought in, they were unlocked, and Mr. McCabe took the papers out of the boxes, and handed some to Mrs. Livingstone.

Q. I want to get this straight. Am I correct in understanding that the boxes were all sealed?

A. Yes, that is right. They were locked; some were tied with string.

Q. You were present the night of the official count?

MR. DENNISON: In the afternoon.

THE CHAIRMAN: Yes, in the afternoon of the official count?

A. Yes.

Q. Are you not confusing the two times?

A. They were sealed the afternoon of the official count.

Q. The requirements of the Act are that the boxes must arrive sealed by the Deputy Returning Officers, and accompanied by a form, and the boxes and the forms are handed in on the night of the election, and at that time the Returning Officer places his own seal on the boxes, and they are not to be opened until the afternoon of the official count, which takes place some days later?

MR. JOLLIFFE: No, no; I think you should let the witness tell us what happened.

MR. GRUMMETT: Something may have happened there, which we would not know about.

MR. JOLLIFFE: Let us have it from the witness.

BY THE CHAIRMAN: Q. Then, Mrs. Armstrong, you go ahead and tell your story. I want you to differentiate between these times. There was the night of the election, when the boxes came into the office, and then there was the afternoon of the official count, some four or five days later. Do you understand?

A. Yes.

Q. In the afternoon?

A. Yes.

Q. When the ballots were officially counted?

A. Yes.

Q. What was your job?

A. I was assisting, helping around the office; doing clerical work.

Q. Are you a stenographer?

A. No, I am not.

Q. Tell us to the best of your recollection what took place?

MR. JOLLIFFE: On the night of the election.

BY THE CHAIRMAN: Q. Yes, on the night of the election?

A. When they brought the boxes in, they were unlocked.

BY MR. JOLLIFFE: Q. Who unlocked them?

A. Mr. McCabe, and the papers, as far as I can recollect, were taken out.

Q. You mean Mr. McCabe took them out?

A. Yes.



Q. What did he do with them when he took them out?

A. He—

MR. DOUCETT: Mr. Chairman, I do not like to interrupt, and I hope the witness will pardon me for interrupting her, but I want to know what happened on election night.

MR. JOLLIFFE: That is what she is talking about.

MR. DOUCETT: She was talking about opening the boxes.

MR. JOLLIFFE: Yes, that is what she is talking about. Let us have the evidence from the witness.

Mr. Chairman, I would like an understanding now, whether we are going to get the evidence from the witness, or a lot of opinions, surmises and leading questions from other people.

BY MR. JOLLIFFE: Q. Do you, Mrs. Armstrong,—

MR. DOUCETT: I think this is—

MR. JOLLIFFE: I am asking a question.

MR. DOUCETT: I am a member of this Committee, and I have a perfect right to get up and ask a question, if I like.

MR. JOLLIFFE: Yes, but I happened to be asking a question.

MR. DOUCETT: After all, I have as much status here as any other person. I was asking a perfectly proper question.

MR. JOLLIFFE: Mr. Chairman, I was asking a question of the witness, when Mr. Doucett got worried, and started his interjection.

BY MR. JOLLIFFE: Q. Mrs. Armstrong, do not be too disturbed by these goings-on. All you have to tell us is what actually happened. I understand you to say that Mr. McCabe unlocked the boxes when they came in?

A. Yes.

Q. What did he take out of the boxes?

A. I don't know; I do not remember.

Q. Do you remember whether he took out any papers or documents?

A. I do not remember. I know he handed a paper to Mrs. Livingstone; whether it was the oath or what it was, I do not remember.

Q. Did you hear any of the results read out?

A. Yes.

Q. You did?

A. Yes.

Q. Did you see any of them given to any of the newspapermen?

A. No.

Q. When did these boxes start coming in? Do you remember that?

A. Very soon after the polls were closed. I do not know what time.

Q. Well, do you say that when the boxes were handed across the table, Mr. McCabe opened each box as it came in?

A. Yes, unlocked the box, and handed me the key.

Q. And you put the key in an envelope?

A. Yes.

Q. Did you see him lock them up again?

A. No.

Q. You did not see what he did with anything that was in the boxes?

A. No.

BY THE CHAIRMAN: Q. Did you see him lock them up again?

A. No.

Q. You did not see what he did with anything that was in the boxes?

A. No.

BY THE CHAIRMAN: Q. Did you see anybody put a seal on the boxes?

A. There were two boys there putting seals on the boxes—the two young chaps.

BY MR. JOLLIFFE: Q. That same night?

A. Yes.

Q. Do you know Mr. O'Connor?

A. Yes.

Q. Was he there that night?

A. He was out in the hall.

Q. He was out in the hall?

A. Yes.

Q. Beside the table?

MR. DOUCETT: Mr. Chairman, may I ask the hon. Leader of the Opposition (Mr. Jolliffe) if he will speak so we can hear him.

MR. JOLLIFFE: Yes, I will be glad to.

BY MR. JOLLIFFE: Q. You were saying Mr. O'Connor was in the hall?

A. Yes.

Q. Outside, where the table was?

A. There was no table in the hall.

Q. Exactly where was the table?

A. Across the doorway.

Q. You approached the door by the hall?

A. Yes.

Q. And this door gives access from the hall to the room where you were working?

A. Yes.

Q. And you say Mr. O'Connor was in the hall?

A. Yes.

Q. And what did you understand Mr. O'Connor's position to be?

A. I don't know.

Q. Had you been working with Mr. McCabe for some time prior to election day?

A. Yes.

Q. Had you seen Mr. O'Connor previously?

A. Yes.

Q. How often?

A. I would probably see him one day, and then I would not see him for two or three days.

Q. In the Returning Officer's office?

A. Yes.

Q. On the night of the election, when you say he was in the hall, what was he doing?

A. As they brought the boxes in, I think he was just handing them to Mr. McCabe?

Q. That would mean putting them on the table, would it?

A. Yes, and keeping the Deputy Returning Officers in order. They were coming in quite fast at times.

Q. Did you see any papers outside of the boxes brought in by the Deputy Returning Officers?

A. I cannot remember.

BY THE CHAIRMAN: Q. Mrs. Armstrong, could you go back in your recollection of that night, when the Deputy Returning Officers brought their boxes in, and the boxes were placed on the table which was across the door; do you recollect that?

A. Yes.

Q. Mr. Jolliffe mentioned "another paper"; what recollection have you of papers accompanying the boxes being handed in?

A. I do not recollect.

BY MR. DENNISON: Q. Mrs. Armstrong, were you also present at the official count on an afternoon, about six or seven days later?

A. Yes, I was.

Q. And at the official count Mr. Frier was present?

A. Yes.

Q. Will you tell us who else was present?

A. Mrs. Livingstone, Mr. McCabe, Mr. O'Connor and a Mr. Wallace. There was another gentleman, but I do not recollect his name.

Q. You do not remember the other man's name?

A. No.

Q. You are sure that you can remember clearly a distinction between these two days?

A. Yes.

Q. Between the official count day and the night of the election?

A. Yes.

Q. And on the night of the election—or during the day of the election—what did you do?

A. I answered the telephone mostly.

Q. In the Returning Officer's office?

A. Yes.

Q. Was the Returning Officer in the office during the day?

A. Yes.

Q. Pretty well all day?

A. Yes.

Q. During the day of the election, do you remember Mr. O'Connor ever being in the office?

A. I cannot recollect; I do not know for sure.

Q. It was in the evening of the election day, that you remember Mr. O'Connor coming in and assisting in putting the ballot boxes on the table?

A. Yes.

Q. Now, when the Deputy Returning Officer brought these ballot boxes to that table—each ballot box has a handle on it?

A. Yes.

Q. And they handed the ballot boxes to Mr. O'Connor? Is that right?

A. Yes, that is right.

Q. There was some evidence the other day that they also handed Mr. O'Connor a statement of the poll?

A. I don't recall that.

Q. You cannot recall that?

A. No, I can't remember. I was doing my work and I was busy.

Q. But you can remember Mr. O'Connor putting the ballot boxes on the table and then—is that right?

A. Yes. And sometimes the Deputy—the Returning Officer would put them down himself if he wasn't too busy.

Q. Himself?

A. Yes.

Q. At that point, Mr. McCabe opened the ballot boxes, unlocked the ballot boxes?

A. Yes.

Q. And he gave you the key?

A. Yes.

Q. And you put the key in an envelope?

A. Yes.

Q. And wrote the number of the ballot box, or poll, on the—

A. Yes. I had them ready.

Q. Oh, you had them all ready?

A. Yes.

Q. So you stuck them in the envelope?

A. That's right.

Q. At that point, what did Mr. McCabe do with the ballot box?

A. He would hand it to the boys helping him.

Q. He would take the statement of the poll out of the ballot box?

A. I don't know for sure about that.

MR. DOUCETT: That is leading.

BY MR. DENNISON: Q. He would hand it to his helpers?

A. Yes.

Q. And you can remember, then, these helpers putting a seal on the box?

A. Yes.

Q. As far as you know at the time they put the seal on the box, the box had already been unlocked?

A. As far as I can recall, yes.

Q. What did you do with the envelopes containing the keys?

A. I kept them all there together and then put them in a large box to have ready.

Q. In a separate box?

A. Yes.

Q. And then on the day of the recount, you took these keys, did you?

A. Yes.

Q. And gave them to someone, on the day of the recount, to unlock the boxes?

A. Yes. •

MR. JOLLIFFE: Who?

BY MR. DENNISON: Q. Who did you give the keys to the day of the recount to unlock the boxes?

A. I gave them to Mr. McCabe.

Q. To Mr. McCabe?

A. Yes.

Q. Now, on the election night, you cannot recall a statement of the poll being given to the press at all?

A. No.

Q. Now, Mrs. Livingstone looked after a pile of these statements of the poll on the desk, didn't she?

A. Yes.

THE CHAIRMAN: Well, she—

MR. DENNISON: She gave us that evidence.

THE CHAIRMAN: This witness says she doesn't remember any form accompanying the box, and I think perhaps you had better build some foundation—

MR. DENNISON: But she said she remembered Mr. McCabe taking the statement of poll out of the box.

MR. DOUCETT: Oh, no.

THE WITNESS: I didn't say "statement of poll". I don't remember whether—

BY MR. DENNISON: Q. Well, do you remember Mr. McCabe taking a paper out of the box?

A. No, I just remember him having handed Mrs. Livingstone a paper.

A. A paper?

A. I don't know whether he took it out of the box or not.

Q. I see. On the day of the official recount, we are told these ballot boxes were piled up in an adjoining room; we are told Mr. McCabe sat on one side of the table and Mr. Frier sat on the other; is that right?

A. Yes.

Q. And we are told that these ballot boxes were brought into the room and put on the table?

A. Yes.

Q. Do you remember when they were unlocked—you are sure they were locked on the day of the official count?

A. Yes.

Q. And you are sure they had to be unlocked that day again?

A. Yes, because I gave them the keys, took them out of the corresponding envelope.

Q. So, as far as you know, that is the second time you saw those boxes unlocked?

A. Yes.

Q. You are sure of that?

A. Yes.

Q. Now, at this official count, who took the ballot boxes and unlocked them? You gave the key to someone?



A. Yes.

Q. Who did the—

A. Mr. McCabe.

Q. Who did the unlocking?

A. Mr. McCabe.

Q. Mr. McCabe told us Mr. O'Connor unlocked some of the boxes; would you say that might be true?

THE CHAIRMAN: I don't think he said that.

MR. McCABE: I said nothing of the kind.

MR. DENNISON: I am wrong, Mr. Chairman. He said Mr. O'Connor put some of the unlocked boxes—that was it—he said Mr. Wallace—

THE CHAIRMAN: Where is the evidence?

MR. McCABE: Don't be guessing at it.

MR. JOLLIFFE: Page 29, about the middle of the page.

MR. DENNISON: Now, on page 29, question to Mr. McCabe: "Q. On the day—"

MR. JOLLIFFE: No, "Did you open—"

MR. DENNISON: "Q. Did you open the ballot boxes? A. I did open them."

MR. JOLLIFFE: No.

MR. DENNISON: Oh, Mr. McCabe said: "Did I open them?", and I said—

THE CHAIRMAN: No, the question is: "Did you open the ballot boxes?" And Mr. McCabe answered: "Did I open them?" "Q. Yes? A. No, my help opened them. Q. Your help opened them? A. Yes. Q. Who was that? A. Mr. Wallace and his son."

MR. DENNISON: Yes, that is as far as I need go.

THE CHAIRMAN: "Q. Mr. Wallace and his son opened the ballot boxes? A. Yes. Q. Did they open all the ballot boxes? A. Yes. Q. And they handed you a slip from the ballot box. A. Well, they handed the ballot box to Mr. O'Connor, I believe, and he handed them to me. Q. So you handed the ballot box to Mr. O'Connor, and he handed the ballot box to you?" That is all the—

MR. DENNISON: Mr. Chairman, it is: "So they handed the ballot box to Mr. O'Connor and he handed the ballot box to you? A. Yes."

THE CHAIRMAN: Where?

MR. DENNISON: At the top of page 30, question—

MR. JOLLIFFE: Yes.

THE CHAIRMAN: "So they handed the ballot box to Mr. O'Connor—"

MR. DENNISON: Yes, you read that, "So you—", not "So they—".

THE CHAIRMAN: "Q. So they handed the ballot box to Mr. O'Connor and he handed the ballot box to you?"

MR. DENNISON: That is right.

THE CHAIRMAN: So is this a fair reconstruction of that, that Wallace and son opened the box, then they were transmitted by way of O'Connor to the Returning Officer, who opened the box?

BY MR. DENNISON: Q. Mrs. Armstrong, do you remember Mr. Wallace or his son opening the ballot boxes?

A. Yes, because I know some of the keys wouldn't fit and they would have to pry them open.

Q. They would have to pry some of the boxes open?

A. Yes.

Q. Do you remember at that time if the seal was on the ballot boxes?

A. Yes, as far as I remember.

Q. Then who did they hand the ballot box to?

A. I don't remember.

Q. The ballot box finally wound up on the table at which Mr. McCabe and Mr. Frier sat, is that right?

A. Yes.

Q. And then what happened to the ballot boxes?

A. I don't recall.

Q. This was the day of the official count?

A. Yes.

Q. Were you assisting that day in any capacity?

A. I was just giving them the keys out of the envelope.

Q. I see, you were giving them the keys out of the envelopes. Do you remember if Mr. O'Connor opened any of the ballot boxes on the table?

A. No, I don't remember if he did.

Q. Do you remember Mr. McCabe having to look in the ballot boxes to look on the envelope to find the number of polls cast—or the number of votes cast?

A. No, I don't remember.

Q. Do you remember them being short of any papers which would give them information as to the votes cast?

A. No.

Q. You can't remember any difficulty in finding the number of votes cast in each poll?

A. No.

Q. Then were the ballot boxes sealed again?

A. I don't remember.

Q. Were they taken out of the room again?

A. Well, I think they were left in the room.

Q. They were piled up, I presume?

A. Yes, at the back, at the wall.

Q. Now, Mrs. Armstrong, do you remember when the material in the ballot boxes was taken out of the ballot box and put in the big wooden box?

A. No, I wasn't there.

Q. You weren't there?

A. No.

Q. How many days after the election were you employed by Mr. McCabe?

A. I think the day of the official count, I quit that night.

Q. I see. So you were not present when the ballot boxes were transferred.

Now, in between the election day and the day of the official count, were you in the office every day?

A. Yes, as far as I remember.

Q. Do you remember seeing Mr. McCabe ever put the lock back on these ballot boxes—of these boxes again, and lock them?

A. No, I don't.

THE CHAIRMAN: What day are you referring to, Mr. Dennison?

MR. DENNISON: The witness has told us that the boxes were unlocked on the night of the election, and yet at the official count, they were locked up again when they found—

BY THE CHAIRMAN: Just a minute. What she said was this—well, Mrs. Armstrong, on the night of the election, you say the boxes came in and were handed through the door?

A. Yes.

Q. And did I understand you to state that at that time the boxes—that Mr. McCabe unlocked the box?

A. Yes.

Q. And then what did he do?

A. (No audible reply.)

Q. The key was handed to you?

A. Yes.

Q. What happened? Was the box locked again, or what happened?

A. Oh, yes, it was locked again.

Q. Let us get this straight. Who was present—on election night, let us take election night, that is the night you were barricaded in this room with the table across the door?

A. Yes.

Q. Who was there again?

A. Mrs. Livingstone, Mr. McCabe, Mrs. McCabe, the Telegram reporter and the two young men helping.

Q. Who were they—they were Farrell and Durant, Joe Farrell and Armand Durant. Do you remember him?

A. I remember the name now.

Q. That would make it one, two, three, four, five, six—is that right, including the reporter?

Q. I am sorry. That is an important person to have there.

A. Yes.

Q. How many reporters were present?

A. I just remember the one, the Telegram reporter.

BY MR. JOLLIFFE: Q. Do you know his name, Mrs. Armstrong?

A. No.

BY THE CHAIRMAN: Q. You think there was just one reporter?

A. Yes.

Q. My recollection is someone said there were two.

MR. JOLLIFFE: Mr. McCabe thought there were two.

MR. MCCABE: I said one, I wasn't sure, there might be two. Sorry.

BY THE CHAIRMAN: Q. Let us straighten this away about these boxes. What was your duty at the time on that particular night?

A. I was given the keys to put in these corresponding envelopes.

Q. You had the keys to put in envelopes?

A. Yes.

Q. What did Mrs. Livingstone do?

A. Well, she was handed the paper, by Mr. McCabe.

Q. She was handed the paper by Mr. McCabe.

A. And I don't remember what paper it was.

Q. She was handed a paper. Where did that paper come from?

A. I don't recall.

Q. What did Mrs. Livingstone do with the paper?

A. She just put it there on the desk.

Q. In a pile?

A. In a pile.

Q. Now, what did Mr. McCabe do? What was his part of these proceedings?

A. I know he was swearing them in.

Q. Wait now, how do you mean "swearing them in"; describe what took place then. What did he—when the D.R.O.'s or whoever brought the boxes in, what did he do then? Who did he swear in?

A. The Deputy Returning Officer—the Deputy Returning Officers.

Q. He swore in the Deputy Returning Officers?

A. Yes.

MR. DENNISON: There is a form there (indicates).

BY THE CHAIRMAN: Q. O.K., that would be, I presume, Form 39. What did Mrs. McCabe do?

A. She was on the telephone.

Q. Mrs. McCabe was on the telephone? Who would she telephone to? What would she do, telephone to the press?

A. No, I don't believe so. I don't recall.

Q. How many telephones were in the room?

A. Two.

Q. Two telephones? And Mrs. McCabe was on the telephone? What did the reporter do? What was his job?

A. He was—he would be— (remainder of reply inaudible).

Q. I say what did the reporter do? What was his job?

A. He was keeping tally of the different polls as they came in.

Q. He was keeping tally? Now, what were the two boys—if I am right in referring to them as "boys"?

A. Young gentlemen.

Q. I beg your pardon?

A. They were young gentlemen.

Q. What were they doing?

A. They were sealing the boxes.

Q. They sealed the boxes? Now, there were then seven people present in the room at that time?

A. Yes.

Q. Now, first of all, you say Mr. McCabe gave Mrs. Livingstone—that was his clerk?

A. Yes.

Q. A paper?

A. Yes.

Q. Do you know where that paper came from?

A. No. I don't remember.

Q. Now, let us take one of the polls and you tell me what happened. A Deputy Returning Officer from one of the subdivisions would bring in his box, is that it?

A. Yes.

Q. Then, where would Mr. McCabe stand at that time?

A. He was sitting at the desk.

Q. At the table in front of the door?

A. Yes.

Q. At the table in front of the door, is that right?

A. Well, the table was across the door.

Q. Yes?

A. And he was sitting like here (indicates).

Q. He was sitting at the door and the boxes came in; where were you sitting?

A. I was sitting at another table, one next to Mr. McCabe's.

Q. In relation to this table here, how would that be.

A. It was right at the other end—like, an "L" shape.

Q. Running off at one end?

A. Yes.

Q. Were you sitting with your back to Mr. McCabe or facing him?

A. No, I was facing him.

Q. You were facing Mr. McCabe; now, the box came in, and then what happened? You say there was a Deputy Returning Officer, he appeared at this time; what did Mr. McCabe then do with him? You mentioned something about him "swearing him"?

A. Yes.

Q. Tell us what happened then?

A. I don't remember what.

Q. Well, the Election Act prescribes that he has to administer an oath at that time, when they hand the box to him.

A. Yes.

Q. And you say that he swore them on something?

A. Yes.

Q. Then what did he do with the Form—do they sign a form too, Mr. Harvey?

MR. DENNISON: They have to, if they are sworn in.

THE CHAIRMAN: They must sign the form in his presence?

THE SECRETARY: Yes.

BY THE CHAIRMAN: Q. What would Mr. McCabe do with the affidavit he got from them?

A. I don't remember.

Q. When they came in, an affidavit was put down, and I suppose they signed it, the Deputy Returning Officers?

A. I suppose they did.

Q. Then you don't know what was done with that particular Form?

A. No.

Q. Now then, just describe what else Mr. McCabe did? As closely as you can recollect—tell us your recollection; what else did he do? A box was, like on this table—this jug of water (indicates) is the box and it is on the table; he has the Deputy Returning Officers sign a Form and what happened then?



A. Well, he unlocked the boxes and handed me the key.

Q. You say he unlocked the box?

A. Yes.

Q. And handed you the key?

A. Yes.

Q. Then did the box remain unlocked?

A. Oh, no, they were locked again.

Q. What would he do with the box when he opened it? Was this right in from of everybody at this table?

A. Yes.

Q. In the presence of you seven people, Mrs. Livingstone, the reporter and the two McCabes—Mr. McCabe and his wife—and the Farrells—or, rather Farrell and Durant, and you, Mrs. Armstrong?

A. Yes.

Q. He opened the box on this table?

A. Yes.

Q. What did he do with the box when he opened it?

A. Well, I can't recall. He would hand them to the young gentlemen there.

Q. And when did they seal them, there and then?

A. Yes.

Q. As you were looking at them?

A. Yes.

Q. You have no recollection of where that paper came from that Mrs. Livingstone put on the table?

A. No.

Q. You don't know?

A. No.

MR. DENNISON: Mrs. Armstrong—

BY THE CHAIRMAN: Q. Let me ask this: when the box came in, did you see any seal on the box at that time?

A. When they came in?

Q. Yes.

A. No, I don't recall. I know some were tied with string,—the key didn't fit—and some with wire.

Q. All right, now tell me this: when the boxes came in, you say they were unlocked there; you don't recollect there was any seal on the box, that the D.R.O.'s had placed on it.

A. No, I don't really recollect.

Q. Do you recollect seeing on that occasion Mr. McCabe breaking any seal to open the box before he put the key in, or after he put the key in?

A. I believe so.

MR. McCABE: Can I say a word?

THE CHAIRMAN: No, no.

MR. DENNISON: Mr. Chairman, Mr. McCabe has been whispering to members of this committee. I do not think a witness has any right to interfere with another witness or talk to the committee.

THE CHAIRMAN: All right, the committee are not giving evidence, and they are all over the age of 21. Let us get busy and try to get to the bottom of this. At that time you say the box was unlocked, and then, was it locked again?

A. Yes.

Q. And you were given the keys? You had envelopes all prepared to put those in?

A. Yes.

Q. As the box stood on the table there, was it sealed? You say these two young gentlemen you mentioned, Farrell and Durant, sealed them?

A. Yes.

Q. What kind of seal was it?

A. I think it was a red seal.

Q. You have no recollection of any seal being placed there before?

A. No.

Q. When the box came in?

A. No, I couldn't say whether there were seals on them or not.

Q. Do you know whether there were?

A. No, I don't remember.

Q. Have you any recollection of those boxes when they came in at that time if there was a seal on? Have you any recollection of Mr. McCabe breaking any seal on the box before he opened it?

A. I don't remember.

Q. You don't remember?

A. No.

Q. Well then, in any event, you say this, the box was placed on the table at the door, and the box was—Mr. McCabe put the key in the box and opened it, did he?

A. Yes.

Q. And what, if anything, did he take out of the box?

A. I don't remember what he took out of the box.

Q. Then you say the box was locked again?

A. Yes.

Q. And you were handed the key?

A. Yes.

Q. Then let us go back—or, let us go to the night when the official count took place—

MR. DENNISON: Mr. Chairman, may I finish at that point, on the night of the election?

THE CHAIRMAN: All right, go ahead.

BY MR. DENNISON: Q. Do you remember—

THE CHAIRMAN: Look, Mrs. Armstrong, we do not want to confuse you. I mean there were two different occasions. We have been talking about the night of the election. You go ahead, Mr. Dennison, at that point.

BY MR. DENNISON: Q. On the night of the election, this is what they call the "poll book" (producing). Have you seen this before?

A. Yes.

Q. Do you remember Mr. McCabe taking a poll book out of the box on the night of the election?

A. I know he took something out, but I don't remember what.

Q. You don't remember him taking a poll book out?

A. No, I don't.

Q. You do remember that the seal was put back in the box again?

A. Yes.

THE CHAIRMAN: No, she doesn't say there was a seal put "back on the box", she said Mr. McCabe put a seal on the box. Not "back on" again.

MR. JOLLIFFE: No, she said the boys did it.

THE CHAIRMAN: Yes, one of the boys put the seals on.

BY. MR. DENNISON: Q. I understood—Mrs. Armstrong, you do remember that a seal was put on the box?

A. Yes.

Q. After it had been opened?

A. Yes.

Q. Now, when the box was closed prior to the seal being put on, do you remember them snapping the lock shut on it?

A. Yes.

Q. You definitely remember that they locked the box up again?

A. Yes, locked the box.

Q. In the case of every box?

A. Oh, yes.

Q. Now, in the case of those boxes, the lock was broken on, which had previously been tied by wire or string, did they retie those by wire or string?

A. I don't remember.

Q. But you do remember that the locks on every box—I will put it this way, you do remember some boxes did not have a proper lock?

A. A proper key.

Q. The key would not fit the lock?

A. Yes.

Q. And the lock, therefore, had to be pried open?

A. Yes.

THE CHAIRMAN: Wait now. This was the night of the election on the table that they had to pry the box open. That night, as it stood at the door, that the box had to be pried open?

A. There was some that the key didn't fit.

Q. Now, take yourself back; this is the night of the election?

A. Yes.

Q. When the D.R.O.'s bring in the box and they are sworn, understand?

A. Yes.

Q. And in cases where the boxes didn't open, they had to be pried open did they?

A. Yes.

Q. The keys didn't fit?

A. Yes, they—

Q. How were they locked up again? How were they locked up then? How were they locked up on that occasion?

A. I don't remember how they locked them. I sat with my back to the boys.

Q. Then, going to the night of the official count—

MR. JOLLIFFE: It wasn't night.

BY THE CHAIRMAN: Q. Then, going to the afternoon of the official counts—

A. Yes.

Q. I don't want to confuse you. Did those boxes have to be pried open again on that afternoon?

A. Some of the boxes, yes.

Q. Had to be pried open again?

A. Yes, because I know they had a hammer there and others—

Q. Then on the night of the election, did those boxes, or some of them, have to be hammered open—the night they came in and were placed on the table?

A. I believe so.

Q. You say "I believe so"; are you sure about that, that's the point, are you sure about that. Just take your mind back. Do you remember the afternoon of the official count when they had hammers and chisels, or whatever they were, and they pried the boxes open?

A. Yes.

Q. Was that the afternoon of the official count?

A. Yes.

Q. Was that same performance gone through on the night of the election?

A. No.

Q. Try and reconstruct this thing in your mind; do you remember on the night of the election when the boxes were placed on the table, there were no hammers or chisels there to pry those boxes open on that occasion?

A. I do not believe so.

Q. But they were pried open on the afternoon of the count?

A. Yes.

Q. I would like to ask you this, Mrs. Armstrong; are you quite sure that those boxes were opened twice, or were they only opened on one occasion? Just recollect back. Are you sure they were opened on two occasions, or on one occasion?

A. They were opened the night of the election, and on the day of the official count.

Q. You say there was no prying open on the night of the election?

A. Not that I recollect.

BY MR. DENNISON: A. You did not actually see every box—

THE CHAIRMAN: Just a minute—

MR. DENNISON: Let me ask the witness a question.

THE CHAIRMAN: Yes, but do not mislead the witness.

BY MR. DENNISON: Q. Did you see every box on the night of the election being opened?

A. No, I cannot recall seeing every box.

Q. There might have been some boxes which you did not see?

A. Yes, when they were coming in quite fast.

BY THE CHAIRMAN: Q. You were sitting at this table?

A. Yes.

Q. Was anybody else taking these boxes but Mr. McCabe?

A. Not when they first came in.

Q. After that, who else might have taken them?

A. The two boys.

Q. In that case, was every Deputy Returning Officer sworn on the affidavit?

A. Oh yes, I believe so.

Q. I beg your pardon?

A. I believe so.

Q. Who did the swearing?

A. Mr. McCabe.

Q. Did anybody else do any swearing?

A. No, he swore them all.

Q. Did you sit there from the time the boxes came in, until the last one was received?

A. Yes.

Q. Do you recall any boxes not being there?

A. I do not recollect, no

BY MR. DENNISON: Q. Mrs. Armstrong, on the night of the election when you left Mr. McCabe's office to go home, do you remember who still remained in the office?

A. I went home with Mr. McCabe—we all left together.

Q. As far as you know the office was locked up?

Q. Yes, we all left together.

Q. You were there the following day, were you?

A. I believe so.

Q. And on each day, up until the official count?

A. Yes.

Q. Do you remember those boxes having to be opened between the night of the election and the day of the official count, for any purpose?

A. No.

Q. Do you remember any of them having to be sealed in between those two days?

A. No.

Q. Mrs. Armstrong, were any of the Deputy Returning Officers in the office occasionally during the election campaign?

A. Yes.

Q. Did you ever see Mr. Porter's official agent, Mr. MacLean, in the office?

A. No.

Q. Would you say that Mr. O'Connor was representing Mr. Porter?

A. I do not know what his position was.

BY MR. JOLLIFFE: Q. Mrs. Armstrong, you have already told us that the boxes started coming in quite soon after the polls closed on the night of the election?

A. Yes.

Q. Do you remember how long that process took? Do you remember about when the last one came in?

A. No, I do not remember.

Q. You said you all left together?

A. Yes.



Q. About what time did you all leave together that night?

MR. DOUCETT: Would Mr. Jolliffe speak so we can hear him.

MR. JOLLIFFE: Yes, I would be glad to.

BY MR. JOLLIFFE: Q. If I roar at you, it is because Mr. Doucett is anxious to hear me.

THE CHAIRMAN: It is because the acoustics in this room are poor.

A. I think it was about 11 o'clock.

BY MR. JOLLIFFE: Q. About 11 o'clock?

A. 11 or 11.30; I cannot remember exactly.

Q. Did the newspapermen leave at the same time?

A. Yes.

Q. Did you know at that time the result of the election?

A. Yes, I believe so—yes.

Q. Now, going back to the earlier part of the evening, you say that the newspapermen were keeping tally of the votes as they came in?

A. Yes.

Q. Where did he get the figure from?

A. I don't remember.

Q. You do not remember that?

A. No.

Q. Well, during the first hour that the boxes were coming in, did you know how the election was going?

A. No.

Q. You were busy, were you?

A. Yes.

Q. Did you know during the second hour?

A. I do not remember.

Q. Did you see the newspapermen making telephone calls?

A. No, I do not remember at all.

Q. Were there many people milling around in the hall outside?

A. No, I don't believe so.

Q. The D.R.O.'s were coming in, and they would leave?

A. Yes.

Q. Did you hear any conversation between Mr. McCabe and the D.R.O.'s?

A. No.

Q. Now, you mentioned there was a pile of forms which was built up in front of Mrs. Livingstone?

A. Yes.

Q. Did she have a separate desk?

A. No, she and I had the same table.

Q. You were sitting at the same table?

A. Yes.

Q. You would see these forms as they were put in front of her?

A. Yes.

Q. Who put them there?

A. She did.

Q. Where did she get them?

A. She was handed them by Mr. McCabe.

Q. You mean, Mr. McCabe would hand them to her?

A. Yes.

Q. Would he hand them to her, just after the boxes came in?

A. Yes.

Q. Did he hand them one at a time, or more than that?

A. I don't remember that.

Q. Do you remember where these forms were left when you went away that night?

A. No, that was not my work.

Q. Did you see them the next day?

A. I do not remember.

Q. Did Mr. McCabe have a desk of his own?

A. He had a table, yes.

Q. It did not have any drawers in it?

A. I don't think so. I do not recall.

Q. Do you remember seeing any papers left on the top of his desk or table

A. No.

Q. You do not remember that?

A. No.

Q. You do not remember that?

A. No.

BY MR. DENNISON: Q. Mrs. Armstrong, may I just finish with this? You put the keys in the box?

THE CHAIRMAN: No, she said she put them in an envelope.

BY MR. DENNISON: Q. You put the keys in the envelopes?

A. Yes.

BY THE CHAIRMAN: Q. One for each poll?

A. Yes.

BY MR. DENNISON: Q. Did you put the envelope in the box?

A. Yes.

Q. Where was the box left on election night?

A. It was left on top of the desk.

BY MR. JOLLIFFE: Q. Whose desk?

A. I think my own table.

BY MR. DENNISON: Q. And the next morning that box was still there?

A. Yes.

Q. Do you remember that box ever being locked up between election night and the count?

A. No.

Q. It was left—

THE CHAIRMAN: She just said she did not know. She did not say whether it was left open.

MR. DENNISON: I am just asking.

BY MR. DENNISON: Q. You do not know whether it was left open or not?

A. No.

Q. Do you think there would be any possibility of anybody breaking into the office between those two dates?

A. It was always kept locked.

Q. Was there any evidence of anybody having broken in, that you know of?

A. No.

BY THE CHAIRMAN: Q. Mrs. Armstrong, on the afternoon of the official count, who was present at that time? Mr. McCabe?

A. Yes.

Q. And who else? Just name them.

A. Mrs. Livingstone.

Q. Yes?

A. Mr. O'Connor.

Q. Yes?

A. Mr. Frier.

Q. Yes?

A. And Mr. Wallace, and another gentleman, and myself.

Q. Was the other gentleman Mr. Wallace's son?

A. It might have been, yes. I do not remember.

THE CHAIRMAN: Gentlemen, are there any further questions to ask of this witness?

MR. GRUMMETT: I want to ask the witness one question, Mr. Chairman.

BY MR. GRUMMETT: Q. Mrs. Armstrong, will you explain to us exactly how Farrell and Durant sealed the boxes after they received them?

A. I cannot explain that.

Q. You know there is a slot in the top of the boxes?

A. Yes.

Q. And you did not see whether they were putting the seals on the slot or on the padlock?

A. I don't remember.

THE CHAIRMAN: When you seal a box, do you seal the slot or the padlock?

MR. GRUMMETT: To be correct, you seal both.

BY MR. GRUMMETT: Q. Do you know whether or not when the boxes were unlocked by Mr. McCabe, he broke the seals on the padlocks?

A. I don't remember.

THE CHAIRMAN: This was on what day? On the afternoon of the count—

MR. GRUMMETT: No, the evening of the election.

THE CHAIRMAN: Your question was, did she have any recollection of him having broken the seal, when he opened the box?

MR. GRUMMETT: Yes.

THE CHAIRMAN: Are there any other questions?

MR. DENNISON: May I ask Mrs. Armstrong one further question?

THE CHAIRMAN: Yes.

BY MR. DENNISON: Q. Mrs. Armstrong, do you know if any time on election night there would be a possibility of anyone adding a number "1" in front of the number "27"—

THE CHAIRMAN: Tell us where? On the wall, or where.

MR. DENNISON: On the return, from the polls.

THE CHAIRMAN: The lady said she did not remember any returns from the

polls. If you want to ask her a question like that, refresh her memory as to what time you are referring to, or what document you are referring to, so she will not be confused.

BY MR. DENNISON: Q. Mrs. Armstrong, the evidence found by the judge and produced at the last meeting of this Committee—

THE CHAIRMAN: Oh, that is a double-barrelled question.

MR. JOLLIFFE: You went into a lot of the evidence given before the Committee.

THE CHAIRMAN: You can ask any question relating to this, but you have to lay the foundation, so the witness will know what you are talking about, and not ask some double-barrelled question.

MR. DENNISON: That is exactly what I am attempting to do.

THE CHAIRMAN: Let us hear your attempt, and then we will rule on that.

MR. JOLLIFFE: I hope it will be a judicial ruling, Mr. Chairman.

THE CHAIRMAN: By all means.

BY MR. DENNISON: Q. The judge who conducted the recount discovered that in a number of subdivisions the vote for Mr. Porter was substantially increased—

THE CHAIRMAN: The judge did not find any such thing.

BY MR. DENNISON: Q. —substantial increases on Form 40 from what the real vote actually was?

MR. STEWART: The judge did not find any such thing.

THE CHAIRMAN: No.

MR. JOLLIFFE: Are you saying they were the same?

THE CHAIRMAN: No, the judge conducted a recount, and counted the ballots in the boxes, and referred to the forms in the boxes, and he found in his statement that they corresponded to all intents and purposes, and there were no irregularities. Now, gentlemen, the irregularity in Form 40 occurred several days after the election—

MR. JOLLIFFE: Oh, did it? You will find to the contrary.

MR. DENNISON: Mr. Chairman, I want to find out if this irregularity occurred on the night of the election.

THE CHAIRMAN: Perhaps I can be of assistance to you. If not, you tell me.

BY THE CHAIRMAN: Q. Mrs. Armstrong, do you remember on the night of the election the forms which Mrs. Livingstone saw, piled in front of Mrs. Livingstone?

A. Yes.

Q. Now, Mrs. Armstrong, you have said—and I think I am correct in stating it—that you did not know where those came from?

A. No.

Q. You do not know whether they came out of the boxes, or from Mr. McCabe, or where they came from, but in any event, they landed in front of Mrs. Livingstone?

A. Yes.

Q. Have you any recollection, or did you see at that time anybody taking those forms, and changing them, or tinkering with them, in any way?

A. I did not.

THE CHAIRMAN: That is your point?

MR. DENNISON: That is my point. If you had not interrupted me, I would have finished five minutes ago.

THE CHAIRMAN: Gentlemen, are there any other questions you want to ask this lady?

MR. STEWART (Kingston): Would you like to hear what happened at the recount?

MR. CHAIRMAN: No, we will let that stand for the present.

MR. STEWART: It will take about two minutes.

MR. JOLLIFFE: We know what happened.

MR. GRUMMETT: Was Mr. Stewart present that night?

MR. STEWART: I was at the recount. Mr. Dennison was, too.

MR. JOLLIFFE: We have the judge's report.

THE CHAIRMAN: Gentlemen, do not let us start quarreling.

MR. STEWART: Mr. Dennison will agree with what I have to say.

MR. PORTER: Mr. Chairman, there is a lady who had an appointment if you want to call her.

MR. McCABE: She should not be here at all. I made a mistake in putting her name down.

MR. JOLLIFFE: We will find out in two minutes.

THE CHAIRMAN (to Mrs. Leah): Were you present in the room on the night of the election?

MRS. LEAH: No.

THE CHAIRMAN: Were you a Deputy Returning Officer?

MRS. LEAH: I was a poll clerk on Crescent Road.

THE CHAIRMAN: Did you have anything to do with bringing in the boxes?

MRS. LEAH: No, I was not there all day. This is all of no interest to me. I do not know why I was subpoenaed.

MR. JOLLIFFE: Was she there between the 7th and the 11th?

THE CHAIRMAN: You can ask her that.

MR. JOLLIFFE: She is not sworn.

MRS. LEAH: I was not there at all that day.

THE CHAIRMAN: Were you there on the day of the official count?

MRS. LEAH: No.

THE CHAIRMAN: You never saw the ballots after they left your poll?

MRS. LEAH: No.

MR. JOLLIFFE: Were you there on the 8th of June?

MRS. LEAH: No.

MR. JOLLIFFE: On the 9th?

MRS. LEAH: No.

MR. JOLLIFFE: On the 10th?

MRS. LEAH: No.

MR. JOLLIFFE: On the 11th?

MRS. LEAH: No. I simply wanted to know, Mr. Chairman, if I could leave. I was brought here in error.



MR. JOLLIFFE: Do you know where Mr. McCabe got the idea you were there?

MRS. LEAH: I worked there for a few days the first part of the week before the election. I was just helping. On the day of the election I was not anywhere near there, nor that night, nor on the days afterward. I wanted to know if I could be excused. I have to go to Rosedale.

THE CHAIRMAN: You are excused. Thank you very much.

Mrs. Leah retired.

The witness retired.

THE CHAIRMAN: Now, to get down to this time of the election. Is the Telegram reporter still an unknown quantity? Is he around, or do we know who he is?

MR. JOLLIFFE: He is still an unknown quantity, but he will have to be called.

THE CHAIRMAN: It is pretty difficult to call a shadow. We do not know who he is.

MR. JOLLIFFE: I think we can find out who he is. If I cannot find out to-day, I will let you know, and we can take other steps to find him.

THE CHAIRMAN: Mrs. Livingstone has been called. Are Mr. Farrell and Mr. Durant here?

MR. HARVEY: No.

THE CHAIRMAN: Then I think we can go ahead with Mr. O'Connor.

MICHAEL PATRICK O'CONNOR, a witness being called and duly sworn, testified as follows:

BY THE CHAIRMAN: Q. Now, Mr. O'Connor, what is your full name?

A. Michael Patrick O'Connor. I should not be here to-day.

Q. And this is the 17th of March?

A. Yes.

MR. GRUMMETT: And no green tie.

THE WITNESS: This is a fine place to bring a man to-day.

BY THE CHAIRMAN: Q. You certainly are an Irishman, both by name and date?

A. Yes.

MR. GRUMMETT: What deed did you refer to?

THE CHAIRMAN: I said "date".

MR. GRUMMETT: Oh, I beg your pardon; I thought you said "deed".

THE CHAIRMAN: You have a suspicious mind, Mr. Grummett.

BY THE CHAIRMAN: Q. Mr. O'Connor, I presume you remember the 7th of June?

A. Yes.

Q. Perhaps you would describe to us what you were doing on the night of the election? It has been mentioned in evidence here that the Returning Officer had an office down on Church Street, and there was a table placed across the door, and inside the office of the Returning Officer there were some seven persons present. You heard Mrs. Armstrong state that here?

A. Yes.

Q. That there were some seven persons in the room, and mention of the fact has been made that you were outside somewhere in a corridor, or in a little room outside; would you just describe what you were doing, and what was taking place on that particular night?

A. After the polls were closed I went down to Mr. McCabe's office, and I stood around in the hall, in front of his table. There was a table across the door, and Mr. McCabe was on the inside, and I was in the hall trying to keep the people lined up, and keep them off the sidewalk. When they came in there—

Q. Tell me; was there a great number of people outside?

A. Yes, there was quite a line-up. It is only a little bit of a short hall, about from here to Mr. McCabe.

Q. And this line-up consisted of whom?

A. The D.R.O.'s with their boxes, and perhaps one or two other people coming in, like the clerks and so forth. I was trying to keep them in line so they would not crowd into the doorway. Sometimes I would take a box and place it on the table, in front of Mr. McCabe. That is all I would do.

Q. Now, just taking the case of a Deputy Returning Officer; did he have his clerk with him?

A. No; sometimes the clerk comes down with them, Mr. Chairman.

Q. With the Deputy Returning Officer?

A. Yes.

Q. Tell us what happened, and what you saw taking place; take the case of one Deputy Returning Officer; what would he do?

A. He would walk in and place his box on the table, and hand Mr. McCabe the press report. Mr. McCabe would take the press report and holler out the return, and then pass the slip on to one of the girls—I think it was his secretary; to Mrs. Livingstone.

Q. I suppose he hollered that—

A. To the press reporters, so we could all hear it, and a woman would be on the telephone, who would telephone it to the Committee rooms.

Q. From this table could you see what took place?

A. Yes, it was only a short distance.

Q. What happened with the box?

A. When the box was delivered on the table, Mr. McCabe would look at to see if it was sealed either with a tape or a paper, and if it had the wax on it. I could see the two men, who were there, with wax and a light, if it was not sealed, they would seal it in the room.

Q. Somebody had placed a seal on the box before it got there?

A. Sometimes the Deputy Returning Officer does put the wax on himself. He has wax for that purpose. I know I did, when I was a Deputy Returning Officer.

Q. Is the box opened on that occasion?

A. No, no. I heard Mrs. Armstrong say I opened some of them. That is ridiculous for her to say that, because the Returning Officer would be right there, and he would certainly not allow anybody to touch that box. Mrs. Armstrong, when in the office, could only see Mr. McCabe's back. She does not know what Mr. McCabe was doing at the table. She could not see it.

Q. Never mind Mrs. Armstrong, or anybody else. Let us deal with you. You say that you saw the box put on the table, and in some cases you say they had seals on?

A. Yes, sir.

Q. Would that be in most of the cases?

A. I cannot recall that, Mr. Chairman.

Q. But, in any event, these two men who were there, Mr. Farrell and Mr. Durant—did you know Mr. Farrell?

A. No.

Q. You saw the two men there?

A. Yes.

Q. They had sealing wax, and they sealed—

A. The top.

Q. And if the boxes were opened, you did not see them opened?

A. Oh, no.

Q. I beg your pardon?

A. No, sir.

Q. You say the boxes were not opened between the time they were placed on the table, and the time Farrell and Durant put the seals on?

A. No, sir, they were not.

Q. Now, what happened to the Deputy Returning Officers? What did Mr. McCabe do with them?

A. When they handed the boxes and the slips up to him, they would go away.

Q. Was there any mention made of swearing?

A. No, there was no cause for it.

Q. You do not recall seeing them sworn?

A. No.

Q. Mrs. Armstrong said she did see them?

MR. JOLLIFFE: So did Mrs. Livingstone.

A. I never did; never.

BY THE CHAIRMAN: Q. Did you ever see anybody sworn in who brought in a box?

A. I never saw anybody sworn in when they brought in a box.

Q. That shows the human frailties between the 7th of June and the 17th of March. You did not see Mr. McCabe administer an oath, or have them sign an oath?

A. No, sir.

Q. You say they handed in a form with the box?

A. That is right.

Q. And it was from that form Mr. McCabe called off the numbers to the others?

A. Just called over his shoulder, and handed them over his shoulder to Mrs. Livingstone.

MR. OLIVER: Just one question on that very point. The witness said before that this was a press report. It would not be a press report, handed in from the Returning Officer.

THE CHAIRMAN: I think what he is referring to—and Mr. Harvey, you can correct me if I am wrong in this—the Deputy Returning Officer when he makes his count gives a copy to the candidates, or their agents—

MR. HARVEY: That is Form 36.

THE CHAIRMAN: Then he makes out another form, I think it is Form 35, and one of these goes in the box, and it is the custom to make out an additional one which they unofficially call "the press return," and that is the one apparently handed in with the box—outside of the box.

MR. JOLLIFFE: It is not supposed to be placed in the ballot box?

MR. OLIVER: I know that.

THE CHAIRMAN: The Returning Officer takes the Form 35 and puts it in the box. That is really equivalent to Form 36 which the candidate receives. Then he puts number 35 into the box, and it has been customary to give a copy of number 35 to the Returning Officer as well.

MR. HARVEY: Mr. Chairman, Form 35 is placed in the ballot box. The official No. 35 is placed in a special envelope and put into the ballot box.

MR. JOLLIFFE: Then "35" is a little different? It shows all the ballots, unused—the whole thing.

MR. DENNISON: It is a complete report.

BY THE CHAIRMAN: Q. In any event, Mr. O'Connor, do I understand that the Deputy Returning Officers when they arrive, have their boxes, which we dealt with first—you say they always have a form which they hand to the Returning Officer, and it was from that form he was calling off the figures to the press, and then they were placed on the table in front of Mrs. Livingstone?

A. That is right.

Q. Now, let me ask you this, Mr. O'Connor; did you see anybody change any of those forms or alter them, or write on them—in your presence?

A. No, sir.

Q. Now, let us go from that point to the afternoon of the day of the count. At that time, the evidence is that there was present the Returning Officer, and his clerk, Mrs. Livingstone, Mr. Frier, one of the candidates, the two Wallaces, father and son, and Mrs. Armstrong, and then there was one Michael Patrick O'Connor who was present? That is yourself? Is that right?

A. That is right.

Q. Now, will you describe what happened on that occasion? You are described here in an affidavit as being the "Official agent of Mr. Porter"; is that correct or not?

A. That is not correct, sir.

Q. It is not correct?

A. No.

Q. You are not the official agent for Mr. Porter?

A. No.

Q. What were you doing?

A. Just an ordinary worker. I am well acquainted, and I go around from door to door during the election, trying to get out votes, and get them lined up.

Q. That is a very commendable thing to do. Had Mr. Porter asked you to be his official agent?

A. No, I volunteered myself.

Q. You like to keep your eye on what goes on?

A. Yes.

Q. As a good citizen should?

A. Yes.

Q. Then you were not officially representing Mr. Porter?

A. Oh no, not at all.

Q. Just tell us, Mr. O'Connor, what took place on that night, as best you can reconstruct it? Just describe what took place, where everybody was sitting, and so on?

A. I did not pay any attention to where anybody was sitting.

Q. Mr. McCabe obviously sat at a table?

A. Yes.

Q. Who else was at the table?

A. Just himself.

Q. Where was Mr. Frier?

A. That is the night of the election?

Q. No, I am asking you about the afternoon of the official count?

A. This would be the day of the official count?

Q. Yes?

A. At 10 o'clock in the morning I went there and Mr. Frier was there, and Mr. McCabe was there

Q. You were there as a watchman for the public, were you?

A. No, I was there to see that Mr. Porter was getting a square deal. That is all.

Q. In any event,—I will not interrupt your evidence; go ahead and tell us.

A. We got there at 10 o'clock in the morning, and we considered, and made up our minds to try and get through by noon. Mr. Frier agreed to that. The boxes were brought over, and Mrs. Armstrong gave us the keys, and they were locked, and the box was handed to Mr. McCabe, and he took out the report and read it out, and he copied it. That is all. After the one box was taken and the report read, the paper was put back in the box, if I remember right, the box was locked, and they were taken away and piled up, ready for shipping, as far as I understand.

Q. Well, now, on that occasion, do you know where Mr. Frier sat?

A. Dan was on this side of the table, in the middle.

Q. That is the Returning Officer?

A. Yes, and Mr. Frier was right across from him and Mrs. Livingstone was on his right, and the man opening the box was on his left, and I was there to take the boxes.

Q. Well, now, tell us this, in opening the boxes, the two Wallaces, they did the manhandling of the boxes, did they?

A. They brought the box out, some of the boxes out, and the key was given to them, and if they couldn't unlock them, they had a hammer there, and would have to break the lock. Then they would hand the box to Mr. McCabe and he would take a paper out and read the report out and Mr. Frier would take the tally down and so would the clerk.

Q. Mr. Frier and Mrs. Livingstone did the tallying?

A. That's right.

Q. Did you have anything to do with the tallying?

A. No, I took my tally off Mr. Frier. I took a chance it was all right.

Q. You figured if Mr. Frier was right, you would be right, is that it?

MR. GRUMMETT: You didn't figure he needed watching?

BY THE CHAIRMAN: Q. Have you any recollection of any case where, by agreement, the press, what we might call the "press form" of the election night was used for taking the vote from? Have you any recollection of that?

A. No, I haven't.

Q. Well, there were some errors in tabulation apparently on that occasion, or in any event, there were errors and they were of a sizeable nature, of the returns which were taken down on that morning. We have thought it was in the afternoon, but you say it was 10 o'clock in the morning.

A. Well, after 12 o'clock I think it was. I never went back there any more. It was finished. I don't know anything about that.

Q. Did you stay until the final count was completed?

A. They did that just before I went—the last box, and it was all finished.

Q. I see. On that occasion could you tell us as to how these errors which have been described arose?

A. No, sir.

Q. Can you throw any light on that?

A. No, sir, I don't know anything about that.

Q. Have you any recollection of any Forms other than of the Forms that were in the box having been used, by agreement at that time, to tabulate the vote, because there was not a form in the box; have you any recollection of that?

A. Yes, I remember Mr. McCabe opening an envelope, I think, and taking something out of an envelope. A report in an envelope.



Q. From the box, you mean?

A. Well, when the box was opened, you see, if there was no slip in there giving a return of the count, he would have to look in an envelope, something like that. I never paid much attention to that.

BY A MEMBER: Q. In the poll book?

A. That is the only way he could get it, I guess.

BY THE CHAIRMAN: Q. Would that be the poll book?

A. I guess it would be the poll book.

BY MR. JOLLIFFE: Q. Mr. McCabe, where do you live?

MR. GRUMMETT: Mr. O'Connor.

THE WITNESS: 106 Granby Street.

BY MR. JOLLIFFE: Q. 26 Granby?

A. 106.

Q. 106?

A. That's right.

Q. What is your occupation?

A. I am a stationary engineer, same as Bill Dennison.

Q. I think you are mistaken about that.

A. I don't think I am.

Q. Where are you employed?

A. I am working for myself at the present time, going around through the country trying to repair boilers and one thing and another.

Q. You have no regular employer?

A. Not at the present time, no.

Q. In the weeks preceding June 7th, 1948, were you employed in connection with the election?

A. I was,—no, I wasn't employed in connection with the election, no, I wasn't. I never was.

Q. You were simply acting on your own, were you?

A. That's right.

Q. You visited Mr. McCabe's office on a number of occasions?

A. Oh, when a man wants to get on as D.R.O., a friend of mine in the south end wasn't working and wanted to get on as D.R.O. or enumerator, I talked to Mr. McCabe if he would put him on. Sometimes he would, sometimes he wouldn't.

Q. You were in his office quite frequently?

A. Not frequently, any more than Mr. Frier was. Every time I'd have been there he would be there.

Q. You recall being there on a number of occasions when Mr. Frier came in?

A. Yes.

Q. In his evidence, Mr. McCabe said that you were not Mr. Porter's official agent?

A. Neither I am.

Q. That is right, and he also described you as being present on one occasion as Mr. Porter's representative; do you disagree with that?

A. Well, I don't know if Mr. Porter took it that way. I never went in and said I was his representative no time. I just went in on my own as an ordinary citizen.

Q. You took a very active part in Mr. Porter's campaign, though?

A. Yes, all Conservatives I did. Not only Mr. Porter.

Q. On the night of the election, do you say you were not at any time in the room where Mr. McCabe was carrying out his duties?

A. Never.

Q. Never—

A. No, they wouldn't let me in there.

Q. So your only view was from outside?

A. Yes.

Q. You remained in the hall from very shortly after the polls closed to the bitter end?

A. That's right.

BY THE CHAIRMAN: Q. What do you mean by "the bitter end"?

BY MR. JOLLIFFE: Q. Well, the night's work was done. When a Deputy Returning Officer came in, he would have his box?

A. Yes.

Q. And his press report?

A. Yes.

Q. And you would assist him to put his box on the table?

A. If he put it on the floor, I'd help him while he took his press form out of his pocket and handed it in. Usual routine.

Q. You had a look at the press report?

A. No, sir, never.

Q. You never looked at any of the press reports?

A. No, sir.

Q. Did you learn what was on the press report?

A. After Mr. McCabe hollered it out, everybody should have heard.

Q. He would holler it out?

A. Yes, so the press—

Q. So everybody would hear?

A. That's right, that's right.

Q. You say Mr. McCabe was sitting behind a table at the door?

A. In the office, yes. He was in the office and the table was between the doors to keep the people from coming in.

Q. Did you notice another table at the end of his table?

A. There was a bunch of tables around the room there.

Q. A bunch of tables around the room?

A. Yes.

Q. And at one of those tables, Mrs. Livingstone was sitting with Mrs. Armstrong?

A. I can't recall Mrs. Armstrong there, but I can recall Mrs. Livingstone.

Q. You could not see all the room?

A. No, just see the two boys who were doing the waxing and sealing the boxes.

Q. When Mr. McCabe got the press report, as you say, he hollered out the result?

A. Sure.

Q. And did he do that immediately?

A. As soon as ever he got them in his hand, he would read it out and then hand it to Mrs. Livingstone.

Q. He would read it out loud?

A. Yes.

Q. Did you make a note of the result he read out?

A. No, I didn't.

Q. Did you have an idea how the election was going in the early part of the evening?

A. No idea at all.

Q. No idea at all?

A. None.

Q. You weren't much interested in the result?

A. I couldn't get much information in there. I didn't have to tally in there, and I wouldn't do it.

Q. Do you recall in some of the early polls, Mr. Frier was leading?

A. No, I can't.

Q. You didn't notice that?

A. No.

Q. So you didn't pay any attention to the results until the end?

A. That's right, "the bitter end".

Q. Are you saying you had no idea of the election until they were all in?

A. No, I hadn't.

BY THE CHAIRMAN: Q. At that point, did the press ever give any running comments as to who was leading?

A. No, he would just take it, as far as I understand, and put it in the press, that is all I know about it. I never heard him say a word.

BY MR. JOLLIFFE: Q. Did you hear the newspaper man telephone?

A. No, I didn't ask.

Q. Well, I suppose he would be at the other side of the room?

A. He would be in the room.

Q. But some distance from the door?

A. Quite a distance.

Q. So it was not until all the boxes were in you had any idea who was leading?

A. Not all the boxes were in, but when the final report came out. It was over the air, I think—

Q. That you heard it over the radio?

A. I suppose. I don't recall. I am not sure.

Q. Do you remember the figures you heard over the radio?

A. No, can't recall.

Q. Did you see the results in the newspaper next day?

A. I can't recall.

Q. Did you bother to look in the newspapers next day?

A. Can't remember at all.

Q. You can't remember that at all?

A. Sometimes I get the newspaper, sometimes I don't in the morning.

Q. Where did you hear the radio report about the results of the election?

A. Can't tell you the station, even.

Q. But where were you?

A. Home.

Q. In your home?

A. Yes.

Q. Would this be after midnight?

A. Couldn't tell you.

Q. It would be late that evening?

A. Yes, I suppose so. Results don't come till late—after ten, anyway.

Q. Then you heard the results of St. George?

A. That's right.

Q. That is the first you heard of the result?

A. Yes, that's right.

Q. Did you leave the office the same time as Mr. McCabe and his assistants?

A. Away ahead of them.

Q. You left away ahead of them?

A. Yes.

Q. On your way home, did you talk to anybody about the results of the election?

A. Not at all.

Q. Until you heard the report on the radio in your home, you had no idea who was elected in St. George?

A. That's right.

Q. It must have been a great surprise to you?

A. Surprise? Certainly not.

Q. Now, did you say at no time did you touch or handle the press report?

A. Certainly not.

Q. Were you in Mr. McCabe's office at all next day?

A. Never after that, never.

- Q. You were there on the Friday, weren't you?
- A. I was there at the final count, whatever day that was. I was never after.
- Q. And you say you then accepted Mr. Frier's tally as being the correct tally?
- A. That's right. I copied off him.
- Q. Mr. O'Connor, how long have you known Mr. McCabe?
- A. Since 1945.
- Q. You didn't know him before that?
- A. Never.
- Q. He has been in your home, has he not?
- A. Never.
- Q. Never in your home!
- A. Never.
- Q. Have you been in his home?
- A. Never.
- Q. You referred to him a little while ago as "Dan"?
- A. Oh, I call him "Bill" too,—Mr. Dennison.
- Q. You call Mr. Dennison "Bill"?
- A. Yes.
- Q. How long have you known Mr. Dennison?
- A. A long time.
- Q. And you say you have known Mr. McCabe since 1945?
- A. That's right.
- Q. So as far as you are concerned, he is just an acquaintance?
- A. That's right.
- Q. Well now, the date of the count, on the morning of the count, Friday, June 11th, did you touch the ballot boxes?

A. Sometimes when Mr.— that man, I don't know the name, when he would break the lock off—

Q. Mr. Wallace?

A. Is Wallace his name? I don't know, anyway, he would be, like here, (indicating) and I was closer and he would give it to me and I'd hand it to Dan, that is all. Perhaps half a dozen or so.

Q. Then Mr. McCabe would put his hand in the box and pull out documents?

A. And read them out.

Q. And read out the result?

A. And there was no objection from the candidate either, I assure you. He was satisfied.

Q. And no objections from you? You didn't object?

A. To nothing.

Q. The boxes had padlocks on, did they?

A. That's right.

Q. The kind that snap shut?

A. That's right.

Q. You don't need a key to lock it?

A. I don't think so, no.

Q. But you do need a key to unlock it?

A. That's right.

Q. Unless you use a hammer, a chisel or something like that?

A. That's right.

Q. Do you say, Mr. O'Connor, that you yourself did not open any of the boxes?

A. No.

Q. At any time?

A. No. At no time.



Q. And you say you did not touch any of the documents at any time?

A. Never at no time.

Q. Have you ever taken part in any previous election campaign?

A. Oh, yes.

Q. In St. George?

A. Oh, yes.

Q. How long have you lived in St. George?

A. 45 years.

Q. On the day of the election, how did you spend that day, Mr. O'Connor?  
Did you function as a stationary engineer that day or—

A. Oh, I don't know. More or less as a scrutineer to get the Conservative vote out and keep the C.C.F. in their place.

Q. How many polls did you visit then?

A. I should say about 25 or 20.

Q. You visited 20 or 25 polls?

A. A pretty good day's work.

Q. In what area would the polls be?

A. In the south end.

Q. In the south end?

A. Yes.

Q. Did you visit any of the polls on Church Street?

A. I think I have. I am pretty sure I have.

Q. Did you visit any of the polls on George Street?

A. Yes.

Q. Jarvis, Jarvis Street?

A. Yes.

Q. Sherbourne Street?

A. Yes.

Q. Mutual Street, Wood Street?

A. Yes.

Q. You visited all those I have mentioned?

A. Yes.

Q. You were particularly interested in those polling booths?

A. Not only them, I was interested in all south of Bloor Street where I was known, and I was getting in there to see the good Conservatives get out and vote the right way.

Q. In what capacity did you visit these polls?

A. Just went in.

Q. But did you visit them as an agent for Mr. Porter?

A. No. Just walked in. Just walked in there.

Q. Did you go inside the polls?

A. To the door.

Q. Just to the door? What did you do at the door?

A. Just said: "How do you do?" and walked out again.

Q. Is that the extent of your activities on election day?

A. Generally—all scrutineers do it, you know.

Q. And agents for the candidates?

A. Oh, an agent does it too.

Q. You were going in as an agent?

A. No, I wasn't going as an agent at all. Just on my own. Everything I done was completely on my own.

Q. Well, this was just a public-spirited effort, then?

A. That's right. Good Conservative.

Q. Saying "How do you do?" at the door of each poll?

A. That's right.

Q. You had done considerable work in these south end polls, hadn't you?

A. Just during the campaign. Just going around seeing people in and so forth.

Q. And trying to get as big a vote as possible for Mr. Porter?

A. I used to do that for Bill.

Q. You used to do it for "Bill"?

A. Sure.

Q. Did you used to work for "Bill" in municipal elections?

A. That's right.

Q. You used to work for Mr. Dennison on municipal elections?

A. That's right. Me and Bill were shoulder to shoulder at that time. Me and Bill.

Q. Did you get a good vote out on that occasion?

A. He was well pleased, I'll tell you. He was sorry when I left him.

Q. Mr. O'Connor, this is all very interesting, but what I am coming to is, you were particularly interested in the results of the polling divisions you have mentioned which you have visited?

A. No, I wasn't interested.

Q. Those are the ones you had worked, anyway?

A. That's right.

Q. You weren't bored by the whole thing were you? You wanted to get Mr. Porter elected, didn't you?

A. I'd certainly like to see him get elected.

Q. But you were sufficiently interested to visit these polls and say: "How do you do?" at the door; weren't you interested in the results in these polls?

A. Well, they go around subdivisions and see the people out. I wasn't interested myself.

THE CHAIRMAN: Mrs. Armstrong would like to go; is there a reason for keeping her any longer? If so, I suppose we could call her later.

MR. JOLLIFFE: Not as far as I know.

THE CHAIRMAN: All right, Mrs. Armstrong.

Mrs. Armstrong leaves the hearing.

BY MR. JOLLIFFE: Q. Mr. O'Connor, these were the polls in which you had worked prior to election day, and these were the polls which you visited on election day. Now, were you not even mildly interested in how the vote turned out in those polls?

A. I wasn't only interested, Mr. Jolliffe, in those subdivisions, I was interested in a whole lot of them. I wanted to see all those subdivisions putting in a good vote for Porter.

Q. But you didn't know anything about the results until you got home and listened to the radio?

A. That's right.

Q. When the results from the poll in the south end came in to the returning officer's office on the night of the election, did you make any effort to find what the results were?

A. No effort at all.

Q. You were indifferent?

A. That's right, I wanted to get away, sir.

Q. You must have been tired?

A. So would you if you were running around all day.

BY MR. DENNISON: Q. I would like to ask Mr. O'Connor a few questions.

THE CHAIRMAN: Mr. O'Connor, you must not call Mr. Dennison "Bill" in this Committee.

THE WITNESS: He wouldn't call me "Mr. O'Connor" outside, anyway.

BY MR. DENNISON: Q. How long have you known Mr. Porter?

A. Since 1945.

Q. That was about the time you started to work for him, to help him in elections?

A. That's right.

Q. Was he first elected in 1945 or was it 1943?

A. First election I remember was 1943, wasn't it?

Q. I believe Mr. Porter was elected in 1943 first.

A. Well, that is when I started, then.

Q. So you helped him in 1943?

A. Yes, 1945—

Q. 1945 and 1948?

A. Yes, that's right.

Q. Now, in between elections, you are a stationary engineer?

A. I was up till last October.

Q. You were until last October, and since last October you have been in business for yourself?

A. Since last October I have been going out myself.

MR. JOLLIFFE: I can't hear you.

THE CHAIRMAN: What has this to do with this—what this man does?

MR. DENNISON: I think it is important, Mr. Chairman.

THE CHAIRMAN: I can't see it. After all, a man has to make a living.

MR. GRUMMETT: I think it is the privilege of the Committee to decide what is important, as well as the Chairman.

THE CHAIRMAN: Oh, yes, but—

BY MR. DENNISON: Q. The point I want to get at, Mr. O'Connor, is, did you work for Mr. Porter in any other capacity save at election time?

A. Never.

Q. Did you work for the present government in any other capacity, save at election time?

A. Well, I am president of the Young Conservative Movement of Canada, but we are not "Progressive Conservatives".

BY THE CHAIRMAN: You are Tories.

MR. WISMER: Real Tories.

MR. DENNISON: Q. Are you Labour-Conservative?

A. No, we are plain Conservatives. Good Conservatives.

Q. And you are president of the Young Canadian Association of Canada?

A. Which you know.

Q. And have you ever interviewed people on behalf of the Liquor Control Board?

THE CHAIRMAN: I rule that question out. I think that question has nothing whatever to do with the Committee.

THE WITNESS: I refuse to answer that question.

BY MR. DENNISON: Q. You refuse to answer that?

A. Yes.

THE CHAIRMAN: Mr. Dennison, that hasn't a thing to do with this thing. We are not examining on morals, we want to find—

MR. JOLLIFFE: We can test his credibility, though. Maybe we should.

BY MR. DENNISON: Q. Mr. O'Connor—

THE CHAIRMAN: I rule that he does not have to answer that question, anyway.

MR. JOLLIFFE: He is obviously unwilling to.

MR. DENNISON: The witness has refused to answer the question.

THE CHAIRMAN: Well, I rule it is not necessary to answer it.

BY MR. DENNISON: Q. Mr. O'Connor, have you ever been paid for any of your services by Mr. Porter or by the Conservative Party?

A. Never.

Q. Did Mr. Porter ever get you a job of any other kind?

A. Never did, nor I don't want no government job.

Q. At the present time are you a member of the St. George Progressive Conservative Association?

A. No, there is no St. George. There ain't.

Q. There is what?

A. No St. George's Conservative Association.

Q. What's the name of the Progressive Conservative Association in your district?

A. St. Paul's.

Q. Are you a member of the St. Paul's Association?

A. That's right.

Q. In this election, was your wife a Deputy Returning Officer at the advance poll?

A. That's right.

Q. And was she a Deputy Returning Officer again on Election day?

A. That's right.

Q. And you wife was and is very interested in politics?

A. Always was.

Q. And she was also interested in securing the election of Mr. Porter, is that not true?

THE CHAIRMAN: Well, now—

THE WITNESS: Oh, no, she was just acting as Deputy Returning Officer.

BY MR. DENNISON: Q. But when not acting as Deputy Returning Officer, did she do any work on behalf of Mr. Porter?

A. She would generally go down and speak for him, yes, sure.

Q. On the night of election, you say a lady was telephoning the results to the committee room?

A. I didn't say that.

Q. Well, I think you did, Mr. O'Connor?

A. No, I didn't.

Q. I distinctly remember you saying a lady was telephoning the results to a committee room.

A. I didn't say it.

Q. Do you remember any committee room to which results were telephoned that night?

A. I think the headquarters, wherever that headquarters was. I am not just sure where it was at. They would send a report up, Dan would read it out, and they would send it to headquarters.

Q. Headquarters of Mr. Porter?

A. I think that's right.

Q. That was at the corner of Huntley Street and Bloor East. I think he had one committee room there.

A. I can't recall.

Q. You're not sure which headquarters?

A. No, I'm not.

Q. But you do remember reports being telephoned to some headquarters?

A. After the press report was read out.

Q. After the press report was read out?

A. That's right.

Q. Now, on the night of election, do you remember any of these poll books being outside the ballot boxes?

A. No.

Q. As far as you know, the poll book was always in the ballot box?

A. Well, It would be.

THE CHAIRMAN: What night are you referring to?

MR. DENNISON: The night of the election.

THE CHAIRMAN: He has told us the boxes were sealed.

MR. DENNISON: Yes, he did that, but I am referring to the poll book.

THE CHAIRMAN: How would they get out of the ballot box?

MR. DENNISON: I am asking if they did.

MR. JOLLIFFE: Sometimes D.R.O.'s do not put them in. That is a perfectly fair question.

MR. DENNISON: I have known of envelopes of ballots being outside the box on election night, Mr. Chairman.

THE CHAIRMAN: Of course, your experience is so much vaster than ours in those cases.

THE WITNESS: I have known a city election, Mr. Chairman, when a bill has been in it.



BY MR. DENNISON: Q. Mr. O'Connor, will you tell us, in relation to the ballot boxes, which you say on some occasions you put on the table, that the D.R.O. handed that ballot box to you—

A. He put it on the floor. I just picked it up, and while he searched his pockets and took out the paper, I was putting it—

THE CHAIRMAN: Are you talking of the night of the election?

MR. DENNISON: Yes, we are still on the night of the election. Do you remember a Deputy Returning Officer giving you any of these statements of the poll?

A. Never.

Q. None of the statements of the poll passed through your hands that night?

A. Never.

Q. Did you see anyone changing any figures that night?

A. Never.

Q. Or rewriting any figures on the statements of the poll?

A. Never.

Q. On election day, could you give us the number of the polls you visited?

A. I couldn't.

Q. I mean now the total numbers who—

A. No, just one here and there.

Q. On election night, do you remember Mr. McCabe having to unlock any of these boxes?

A. He never did.

Q. As far as you know, no boxes were unlocked?

A. And I know, because I was in front of him all the time and he never did.

Q. You were right at the table, were you?

A. That's right, at the corner of the table, and he was right there (indicates).

Q. Did anyone else unlock any of the boxes?

A. Not— I never seen it, no. All I seen was Mr. McCabe taking the box and if it wasn't sealed properly, he would hand it over, they would take a piece of paper, put wax on it, wax the lock, and I don't know where they put it.

BY MR. GRUMMETT: Q. Did they hand it back to Mr. McCabe?

A. No, Dan would put a private mark or stamp on the wax, I don't know what, never paid much attention, but I know they were sealed proper.

Q. And were you present all the time when all the boxes were coming in?

A. There might have been perhaps ten in before I got there.

Q. You stayed there until the last boxes got in?

A. That's right.

BY MR. DENNISON: Q. Do you remember what Mr. McCabe did with the long sheet, the statement of poll?

A. I can't recall him getting any statement from the poll at all. The only thing I can recall him getting was the press report, as I recall.

A. Just the press report?

A. As I recall it.

THE CHAIRMAN: No doubt you are both referring to the same thing.

BY MR. DENNISON: Q. This (producing) is the statement of the poll, Mr. Mr. O'Connor—Form 35?

A. Never handled them, but I know them.

Q. You know that statement of poll, and you do not recall Mr. McCabe getting them from the Deputy Returning Officer?

A. He would get a slip of paper I'd take for a press report, and he would read it out, and they would hear him inside, and then he would pass it over his shoulder to Mrs. Livingstone (indicates).

Q. He would hand it over his shoulder to Mrs. Livingstone?

A. He would look around and hand it to her.

Q. The ballot boxes you put on the table, the ballot boxes you had in your hands, do you remember any of them having the seal broken?

A. Never. A lot of them didn't have a seal on.

Q. Some of them were—

A. Some of them were without seals.

A. And some had seals?

A. And those that didn't have seals, Dan would see seals were put on.

Q. Do you remember any of them being tied by string or wire?

A. No, none of them.

Q. In lieu of the lock?

A. None that I handled. I handled them all, except 10 or 12.

Q. You handled them all except 10 or 12?

A. I mean as they were laid on the floor. I seen them all, anyway.

Q. There was just the one hallway going up to this door, across which the table was placed?

A. Yes.

Q. That hallway was full of people?

A. From the door to the sidewalk, and you had to keep them in line, because it was a rooming house, and people had to be able to get in, and you could not block the doors.

Q. We will come now to the day after the election. Were you in Mr. McCabe's office on the day after the election?

A. No, I was not there until they had the final count.

Q. You were not there until after they had the final count?

A. That is right.

Q. About six days later?

A. Yes.

Q. And this was in the morning?

A. Yes. We started about 10 o'clock in the morning, and ended up about 12.

Q. On that day could you tell us whether these boxes were unlocked when you placed them on the table for Mr. McCabe?

A. Every box that came out of that room—the boxes were all in a little room, and to save time, every box which was brought out of that room was sealed and locked, and they were unlocked by that man, and handed, sometimes to me, and I would hand them over to Mr. McCabe. Every one of them was sealed and locked.

Q. And Mr. McCabe took no objection to you handling the ballot boxes?

A. No, we all agreed to that. We wanted to get rid of them, quickly, and get out of there.

Q. Did Mr. Porter have any other agent on the day of the recount?

A. No, just me. I was not an agent myself, mind you; I was on my own.

MR. STEWART: It was not a "recount"; it was the official count.

MR. DENNISON: That is right.

BY MR. DENNISON: Q. When they finished—we will take each ballot box; when you were through with the ballot box, was the lock put back on again?

A. Yes, if they were not broken, they were separately locked, and if they were broken, Mr. McCabe would request it to be set aside, so he could get locks, and put on them, before they were shipped out.

Q. How many were there?

A. Oh, I cannot recollect. There were not very many; one or two.

Q. Six or seven?

A. Oh, I cannot recollect.

Q. On that day, as far as the locks being put back, were they put back on the boxes again?

A. Everything, except the ones which were broken.

Q. Except those which were broken?

A. Yes.

Q. Were you there when the material from these ballot boxes was placed in a wooden box?

A. No.

BY MR. WISMER: Q. Mr. McCabe said it was there when he finished with the boxes on the day of the count. You do not recollect that?

A. No, they were all piled up.

BY MR. DENNISON: Q. Do you recollect a wooden box in the room available for that sort of thing?

A. What was that?

Q. Do you recollect in the morning of the official count, a large box available for the papers to be placed in?

A. No, I cannot recall that. I never saw it.

Q. All of the material which was in the box when you handed it to Mr. McCabe—you were there when all were read out by Mr. McCabe for the tally. When he finished with the box, everything was left in the box?

A. You mean the Deputy Returning Officers' ballot boxes?

Q. Yes?

A. Sure.

Q. There was nothing taken out of that box?

A. No, nothing taken out at all. They were put back in the boxes, and locked.

Q. On the day of the official recount did Mr. McCabe have a statement of the poll for each poll, or did he have to look in some of the boxes?

A. He had to look in each—I do not remember if he looked in all of them.

Q. You remember him looking at the envelopes on which was the number of ballots recorded?

A. Sometimes he would just put in his hand, and if there was a slip there he would pull it out and read it out, and put it back in the box again, and lock the box, and then pile it up.

BY MR. GRUMMETT: Q. Mr. O'Connor, that slip you are referring to; was it loose in the box, or in an envelope?

A. Some Deputy Returning Officers put them in the envelopes, and some just put them in the boxes. Some of the D.R.O.'s would just slap them in that way.

BY MR. DENNISON: Q. Do you recall at that time Mr. McCabe being unable to find the number of votes cast for any candidate, and having to search to find the number?

A. I cannot recall that, Mr. Dennison.

Q. You do not recall that?

A. No.

Q. Do you recall the number given on the form not being the same as the number on any of the envelopes?

A. No.

Q. You cannot recall that?

A. No.

Q. Was there any instance happened on that day which would lead you to believe that some of the numbers were changed?

A. No. If there had of been, I would have made inquiries. I would have protested against it.

Q. You would have protested against it?

A. I would.

Q. On the night of the election, do you know of anyone who could have made a change that night?

A. You cannot do that. No one ever attempted to do that.

Q. You say on the night of the election no one could have made a change?

A. No. Nobody attempted it. No such thing as that ever happened. It was one of the finest elections in Toronto.

Q. Now, Mr. O'Connor, have you any theory as to how these numbers got changed on the Form 40 which was returned to the Parliament Buildings here, that is, the Form 40 had a greater number in excess of the votes actually received by Mr. Porter?

A. I do not know anything about it.

Q. You do not know anything about that?

A. Absolutely not.

Q. Did you discuss it afterwards with Mr. Porter?

A. No, this is the first time I have seen Mr. Porter except once, since the election. This is the second time.

Q. Being a good active worker, are you not keeping in touch with your member?

A. I probably will not see him, maybe, until the next election comes around, and then he will turn up.

THE CHAIRMAN: Gentlemen, are there any further questions to ask Mr. O'Connor?

MR. DOUCETT: Yes, Mr. Chairman, I would like to ask a couple of questions.

BY MR. DOUCETT: Q. I understand you to say you worked some time for Mr. Dennison?

A. In 1935, I think. Was that it, "Bill"?

Q. What was the nature of your duties?

A. I used to do the same for "Bill" that I did for Mr. Porter.

Q. Were you paid for it, and by whom?

A. Oh, he never had any money.

BY THE CHAIRMAN: Q. Mr. O'Connor, before you leave the stand may I ask you if on the morning of the count—I gather you took your figures from Mr. Frier?

A. Yes.

Q. And Mr. Frier and Mr. McCabe were the ones who computed the figures, between the two of them?

A. Yes, and the girl.

BY MR. JOLLIFFE: Q. The young lady would add them up?

A. She would do it on a machine, yes.

Q. But it was Mr. McCabe who read the figures, and called them out?

A. Yes.

BY THE CHAIRMAN: Q. At the official count, Mr. McCabe read out the figures?

A. Yes.

Q. And he was the one person who had an opportunity to read them out?

A. Yes, I could have asked him to show me the slip—

Q. Just a minute. I want to be perfectly clear about this. When the boxes were handed to you, he extracted from—

A. Do you want me to holler it out?

MR. OLIVER. No, there is no difference between hollering it, and what you are doing.

BY MR. JOLLIFFE: Q. When Mr. McCabe got the box, and got it open, he extracted some documents from which he read the result?

A. Yes.

Q. And at the official count, nobody had an opportunity to read the count?

A. Yes, we had the opportunity if we had asked for it.

Q. Who did?

A. I did, and Mr. Frier.

Q. You obtained some information?

A. He held it in his hand, so we could read it.

Q. Did anybody else read them out?

A. No.

Q. Just Mr. McCabe?

A. Yes.

Q. And Mr. Frier wrote them down?

A. Yes.

Q. And also Mrs. Livingstone added them up?

A. That is right.

THE CHAIRMAN: Are there any further questions, gentlemen?

BY MR. DENNISON: Q. Did you ever get any liquor licences—

A. You had better ask Judge Robb about that. You go by Judge Robb.

THE CHAIRMAN: Wait a minute; that has nothing to do with this case.

MR. GRUMMETT: He knows where they come from, anyway.

BY MR. DOUCETT: Q. You are just the same type of man as you were when you worked for Mr. Dennison—or better?

MR. JOLLIFFE: He is a Conservative now.

THE WITNESS: Sometime I was going to be a C.C.F.er, but now that is off.

MR. WISMER: He is not even a Progressive-Conservative.

THE WITNESS: Oh, I am a Conservative, yes.

BY MR. WISMER: Q. But not a Progressive-Conservative?

A. Not a Progressive-Conservative, no; but a Conservative.



THE CHAIRMAN: Alright, stand down. We wish you a happy 17th of March.

The witness retired.

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FRANK THOMAS FRIER, a witness being called and duly sworn, testified as follows:

BY THE CHAIRMAN: Q. Mr. Frier, you were a candidate for the C.C.F. at the election held in St. George's Riding on the 7th of June?

A. Yes.

Q. On election night, Mr. Frier, where were you?

A. I was in my committee room.

Q. You were not in a Returning Officer's place at all?

A. No.

Q. You do not know what transpired that night?

A. No, not that night.

Q. I suppose during the day you were all over the riding, were you?

A. Yes.

Q. You were at the polls in the south end, and in the north end?

A. Not so much in the north end. I did not get much chance to get up there.

Q. You were mainly in the south end, were you?

A. Yes.

Q. Did you run across Mr. O'Connor on your tour?

A. No.

Q. You apparently were both around?

A. I was around; I do not know anything about Mr. O'Connor.

Q. Well, on the day of the official count, at 10 o'clock in the morning of the 11th of June, you were present, I understand, in the Returning Officer's office? That is the time of the official count, according to the evidence we have here, and there were present, the Returning Officer, and his clerk, Mrs. Livingston,

yourself, Mr. O'Connor, two men by the name of Wallace, father and son, and Mrs. Armstrong?

A. That is right.

Q. Now, would you describe to us what took place, Mr. Frier?

A. I got there early in the morning, I guess ten or fifteen minutes before the count started, and I had no paper, and I made a list of all the subdivisions and their numbers, and when the ballot boxes were opened, as the names were called out, I jotted down the votes for each candidate.

Q. Now, the evidence seems to be that Mr. McCabe was at a table, and there were two gentlemen at the end, who opened the boxes, broke the seals and broke the locks, and opened the boxes; is that right?

A. Mr. McCabe was at the table, yes, and these men brought the boxes over to the little table at the side, and Mr. O'Connor opened them. He was handed the key by Mrs. Armstrong, and he opened the boxes, and then—

Q. What did the two Wallaces do?

A. They brought them from a little room—in a back room.

Q. There was some evidence some of the boxes had been hammered open?

A. Yes, by Mr. O'Connor. He had a hammer right beside him.

Q. O'Connor opened the boxes?

A. Yes.

Q. Then what happened?

A. Then he would take the envelope out and hand it to Mr. McCabe, who would open it, and read off the vote for each candidate.

Q. You were there representing yourself; did you take any objection to any proceedings which were taking place that day?

A. No.

Q. Did you see anything irregular? Did you notice anything irregular at all?

A. No, just O'Connor opening the boxes.

Q. Did you say anything about that?

A. No.

Q. Did you see anything that was wrong at all?

A. No.

Q. Did you see O'Connor write anything, or change anything?

A. No.

Q. You watched the whole proceedings?

A. That is right.

Q. Who was it then who called off the vote?

A. Mr. McCabe.

Q. The Returning Officer called off the vote?

A. Yes.

Q. And you took the vote down?

A. Yes, and if I could not catch it, or something, I would ask for it again, or I would check with Mrs. Livingstone.

Q. Reference has been made here to the forms which were on the outside of the boxes?

A. Yes, some were not in the boxes at all.

Q. Those were forms which were handed in apparently by the Deputy Returning Officers with their boxes; the forms were outside of the boxes?

A. Yes. In some boxes there were not any certificates at all.

Q. And what did you do in those cases?

A. Mr. McCabe would read it from the pile. He asked if it was alright.

Q. Did you have any objection to that?

A. No, none whatsoever. In a very few cases that is what happened.

Q. Well, in any case, do you know whether the poll books were looked at?

A. I think there was one.

Q. This tabulation which was made was made by you and Mrs. Livingstone?

A. Yes.

Q. And did Mr. McCabe write anything down at all?

A. No.

Q. In any event, these polling forms were on the table—you say that happened in a few cases?

A. Yes.

Q. Do you know in how many cases?

A. No, I do not recall. It was not a great deal.

Q. Did you see what was done with the boxes after all this was done? Were the ballots taken out of these boxes and placed in envelopes, and placed in a big wooden box?

A. No, there was no wooden box in the room at that time. They were all put back into the metal box.

Q. That is, the ballot box?

A. Yes.

Q. And at the time mentioned, you could not see, as you state, any irregularities? There was nothing you were dissatisfied with at the official count?

A. No.

Q. Mr. Frier, you took proceedings afterwards in the Supreme Court?

A. Yes.

Q. Did you file an affidavit?

A. Yes.

Q. By whom was this affidavit prepared, it is an affidavit by yourself, it says, "I, Frank T. Frier, of the City of Toronto" and so on. Do you recollect that affidavit there?

A. Yes.

Q. Who was it prepared it?

A. My counsel.

Q. Who is your counsel?

A. Mr. Andrew Brewin.

Q. And you say in paragraph 3:

"3. In the presence of myself and the said Returning Officer, D. A. McCabe, one Michael O'Connor, official agent for Dana Porter, one of the candidates in the said election, opened the ballot boxes and handed the

certificates to the Returning Officer, and the said Returning Officer, McCabe, would read what purported to be the figures on the said certificates, and I took note of the figures read by the said Mr. D. A. McCabe for each candidate in each subdivision."

A. That is right.

Q. You represented Mr. Michael O'Connor as being the official agent for Dana Porter?

A. Yes, I understood him to be the official agent.

Q. You were swearing to an affidavit? You were taking an oath at that time?

A. That is right.

MR. GRUMMETT: He said "to the best of his belief."

THE WITNESS: To the best of my belief, he was the official agent. I never heard tell of any other official agent, and every time I was in Mr. McCabe's office, Mr. O'Connor was always there.

Q. Then you were incorrect in what you swore?

A. Apparently, from the other witnesses, I am. But it was my belief that he was.

Q. Further, in this affidavit, you say this:

"From the above—"

this is paragraph 12—

"—I have cause to believe that the Returning Officer has been guilty of an election offence or offences in falsifying the returns reported to him by the substantial addition of one of the candidates in the said election, and I desire to have inspection of the official return made by the said Returning Officer, and the certificates delivered by him by the Deputy Returning Officer, and other documents pertaining to the said election (other than ballot papers), for the purpose of obtaining advice as to the institution or maintenance of a prosecution in connection with said election."

And you go ahead and say you desire to have an inspection of the official returns. Mr. Frier, that is the point we are concerned with. A recount of these ballots has been had, as you know, and the judge who conducted the recount, His Honour Judge Gordon, has made an official report to the Committee, and showed a plurality of 2,711 votes for Mr. Porter. This Committee is interested in how these figures, which are the figures we received from His Honour, were changed to the figures which are shown in Form 40, and which show a very substantial addition to the votes which one of the candidates, Mr. Porter, received, and various other changes, which resulted in a majority for Mr. Porter

of some 4,120 votes. That is the purpose of this inquiry; to find out what happened.

Now, to your knowledge, what light can you throw on this?

A. I cannot throw any light on it. I know the figures I have here I took the day of the official count. I had a meeting with our Executive two or three nights later, and there were some election workers at this meeting, and as I was reading out some of the figures, these men said, "Where do you get those figures; that is not what the figures were—"

Q. How long was this after the election?

A. I would say the official count was on a Friday, and the executive meeting would be on a Monday.

Q. The official count was on Friday, the 11th of June?

A. Yes.

Q. And you say you had a meeting afterwards, on Monday?

A. Yes.

Q. And you found—

BY MR. JOLLIFFE: Q. On the 14th of June?

A. Yes.

BY THE CHAIRMAN: Q. And what did you do as a result of that, Mr. Frier?

A. From the one or two we found had been changed, according to the figures, we went over the certificates.

Q. When did you do that?

A. That was done, I would say, about a week or two afterwards. It took quite a while to go over them all. There were about 175. We went over them and found there was somewhere around 1,400 votes which had been added on.

Q. That was in the month of June, some time, following the 14th of June?

A. Yes. It could be that, or it might have been a little later. It was within the time anyway, within two or three weeks after the election.

Q. You knew at that time from your check of the official count, which you made on the 11th of June, that starting on the 14th of June, there were irregularities in the votes reported?

A. That is right.

Q. Then, what did you do?

A. After we had found out about the 1,400, I thought we would wait then for Mr. McCabe to send in his Form 40 to Queen's Park, to the Clerk of the Crown in Chancery, and I think there was some delay there. I do not know just what it was. Mr. Brewin, when he went up—I am not just sure of the date of that—when Mr. Brewin went to Queen's Park and saw Major Lewis, and showed there was a discrepancy in some of the subdivisions.

BY MR. JOLLIFFE: Q. You did not accompany Mr. Brewin on that occasion?

A. No.

Q. He was your legal representative?

A. That is right.

BY THE CHAIRMAN: Q. Who was your official agent?

A. Mr. Brewin.

Q. Mr. Brewin was your official agent?

A. Yes.

Q. How long after that was it that Mr. Brewin, your official agent, got in touch with Major Lewis?

A. I am not just sure now. I do not think we got the official returns from the Clerk of the Crown in Chancery until some time in September.

Q. I know, but you had been present at the official count, and additions were made at that time as to your vote, Mr. Porter's vote and Mr. MacVicar's vote?

A. That is right.

Q. That was the official count?

A. That is right.

Q. And you were present at that time?

A. That is right.

Q. And you say these irregularities came to your notice for the first time on June 14th, three days after the official count?

A. Yes.

Q. I have here, filed as an exhibit to your affidavit made on November 1st, the letter to Major Lewis signed by your official agent—purporting to be signed by Mr. Brewin—stating:

"Dear Major Lewis:

"In accordance with the conversation which Mr. Jolliffe had with you last Friday—"

So that on November 1st, "last Friday," I presume would be the last Friday in October?

A. Yes.

Q. It goes on:

"I am now sending you a list of the results in the St. George's election as indicated by the certificates delivered by the Deputy Returning Officers in polls in which we have reason to believe that figures were substantially changed.

"This is not, of course, a complete list as to where changes may have been made.

"We would be glad if you would check into this matter and advise me of any action that it is proposed to take in regard to it.

"Official Agent for Frank Frier,  
Candidate in St. George's Riding."

Mr. Frier, let me ask you this: this matter came to your attention on the 14th of June, and soon afterwards you found that there was an addition of some 1,400 votes; what did you do all that time between then and November 1st, when this letter was written?

A. I turned it over to Mr. Brewin to check on it further. I do not know what he did. I think there was some delay.

Q. Mr. Frier, the point which surprises me—I think if I had noticed that—most of us would have raised an awful fuss about the 15th of June. Why was it there was that great delay between the 14th of June and November?

A. I cannot say what the delay was. I turned it over to Mr. Brewin and he carried it on from there.

Q. Let me point this out; after all, this matter is something of importance to the people of this province. You were a candidate in that election; did you not think you owed it to the people to immediately expose this thing so that the matter could be investigated, when the matter was still approximate and fresh in the minds of the people who were at this count?

A. Yes. The reason this was not turned in was we did not know anything about it, and we were waiting for Mr. McCabe's report.

Q. You were there at the official count?



A. That's right.

Q. And you had the official count?

A. That is right.

Q. You had the official count, why wouldn't you immediately disclose this and say: "I see this thing is not on the up and up. There is something wrong with it?" Why didn't you do that?

A. At the official count? Because I had no certificates with me at the official count.

Q. Mr. Frier, I only point out to you that, after all, this thing cuts both ways. This indicates your vote is less than the actual votes you received, that I think is plain from the figures, and that the vote of one of the other candidates is more. That cuts both ways. That is something that discredits the man who is elected. Don't you think there was perhaps some duty to immediately make a disclosure of this and have a recount and perhaps lay some charges of corruption or something of the sort.

MR. JOLLIFFE: Now, Mr. Chairman—

THE CHAIRMAN: Well, there has been a lot of mud thrown—

MR. JOLLIFFE: Better ask Mr. Brewin that question.

THE CHAIRMAN: Mr. Brewin is pretty deep in politics himself. He is an official agent and he is a candidate in that riding.

MR. JOLLIFFE: Mr. Frier says he turned it over to Mr. Brewin.

THE CHAIRMAN: I am interested to find what it is. It is one thing to hold our hands up in holy horror months after the election, but it is another thing to take the proceedings there are in The Election Act to set this election aside if there is something wrong with it, and so on. After all—

MR. JOLLIFFE: Mr. Chairman, you are assuming the witness is under some kind of obligation to assist a wrong-doer to cover his tracks.

THE CHAIRMAN: No, I don't—

MR. JOLLIFFE: He was under no such obligation.

THE CHAIRMAN: I say it is the duty of this witness and anybody who is a candidate at the election, the minute they find this sort of wrongdoing, to make the disclosure so it can be placed before the public. What was the purpose of this long delay?

THE WITNESS: We were waiting to get the official return turned in to the Clerk of the—

BY THE CHAIRMAN: Q. Let me ask you, did it never occur to you that within that time you had the right to ask for a recount and you might ask a judge to recount the ballots and disclose this whole thing?

A. I turned it over to Mr. Brewin and left it in his hands.

Q. May I ask this, was it the intention to delay this thing to a point where it was embarrassing to the elected candidate and where it appeared the government of the day was trying to cover something up in this?

A. No intention at all. We wanted to get the facts before we presented it.

Q. I can assure you we are all anxious, all the gentlemen on the committee, to get the facts, but here we are delving into something and dealing with people's memory of an occurrence that took place months ago. This inquiry might as well have been held at the end of June—the 17th of June, in fact.

MR. JOLLIFFE: Mr. Chairman, that is a matter of opinion, and there happens to be much evidence to the contrary which you will get if you will be patient.

THE CHAIRMAN: Now, are there further questions the Committee wants to ask Mr. Frier?

Mr. Frier, just take paragraph 11 of your affidavit, which is dated the 3rd of January, 1949, and you say this:

“I have caused the figures as reported to me and those shown by the certificate delivered to me and signed by the Deputy Returning Officer to be compared, and from the comparison which I am able to make, it appears that the votes as reported to me by the said returning officer, D. A. McCabe, at the official count, and purporting to be read from the certificates delivered to the said Returning Officer by the Deputy Returning Officers, show a discrepancy in the neighbourhood of the addition of 1,400 votes which were added to the total vote for the said Porter, one of the candidates in the said election—”

Now, Mr. Frier, this affidavit is dated the 3rd of January, 1949, and the letter that is written—and which is an exhibit—was written by Mr. Brewin, your official agent, on November 1st; surely you had all the information last June to have asked for a recount and to have taken proceedings under The Election Act relating to corrupt practices, not let all these things go and all these remedies in The Election Act, and wait for a Committee of this Legislature?

A. The reason that we held back, we wanted to be sure of the facts. I turned it over to Mr. Brewin, and as far as I can make out, he had taken it up with the Clerk of the Crown in Chancery, and they said they couldn't do anything until a Speaker was appointed.

Q. Don't you know there are remedies under The Election Act, that you were quite—that Mr. Brewin, as a well-known counsel of this town—

A. Well—

Q. He is even a K.C., isn't he?

A. I think so.

MR. JOLLIFFE: Are you sure you know the provisions regarding a recount?

THE CHAIRMAN: I know Mr. Brewin should know. I may not know, you may not know, but Mr. Brewin should.

MR. NIXON: Aren't you a K.C., Mr. Chairman?

THE CHAIRMAN: He is a lawyer, isn't he?

THE WITNESS: Has a K.C. anything to do with it?

THE CHAIRMAN: Well, he is a K.C.

MR. NIXON: Are you not a K.C.?

THE CHAIRMAN: Yes, but do you think that adds anything to my stature?

MR. NIXON: You seemed to suggest that it does.

THE CHAIRMAN: Well, I just asked the question.

BY THE CHAIRMAN: Q. Mr. Frier, I would not want to infer that you, a candidate in this election, were concealing this for purposes of making political capital, but are you sure your lawyer might not have been?

A. No.

Q. You see this delay of several months in which you said nothing and you lay low with all this information in your hands—there was a difference of 1,400 votes and you had that since last June, that you delayed and said nothing, you let your remedies under The Election Act go by in order to let time run and lose your remedies, and then start proceedings before a Committee of the Legislature and in the Legislature of this province—

MR. DENNISON: Well, that question should be asked of the lawyer, Mr. Chairman.

THE CHAIRMAN: Well, the point is this, what I may ask Mr. Frier is that his official agent is a well-known lawyer in this town—

MR. JOLLIFFE: Well, ask him the questions.

THE CHAIRMAN: He is a well-known solicitor, head of a big law firm in the town; why not take proceedings to protect this man?

MR. JOLLIFFE: That question should be addressed to Mr. Brewin. The witness said a number of times that he placed it in the hands of his counsel.

MR. DOUCETT: Who is the witness here?

MR. JOLLIFFE: I beg your pardon?

MR. DOUCETT: We are not taking evidence from—

MR. JOLLIFFE: If you think an explanation is required, you should get it from the person in charge of the matter.

THE CHAIRMAN: I think it is proper for us to enquire, after all, according to some things that are said, if all the virtues are just in one political party, that is all.

MR. JOLLIFFE: Oh, now, Mr. Chairman, I think you are—

THE CHAIRMAN: After all—

MR. JOLLIFFE: It is not a question of virtues. You have said on a number of occasions we want to get at the facts as quickly as we can.

THE CHAIRMAN: That is what I am trying to get at.

MR. JOLLIFFE: And I am quite sure, Mr. Chairman, you would not have wished Mr. Frier or Mr. Brewin to commit themselves at any time since the 7th of June in a way which would prevent you or prevent us now from getting at the facts. You would not have wished that.

THE CHAIRMAN: Not at all.

MR. JOLLIFFE: Then I suggest you ask Mr. Brewin why.

THE CHAIRMAN: I say this, Mr. Jolliffe, we are most anxious in this Committee to have the facts come out. We want to find everything about this.

MR. JOLLIFFE: Yes.

THE CHAIRMAN: And I think it is proper to ask the witness why he did not assist the people of the province to find out about that.

MR. JOLLIFFE: He has answered the question.

MR. WISMER: He has answered it three times.

MR. JOLLIFFE: He has answered it three times, and I think you have no cause for regret and neither have I that he did not take open steps in the matter until such time as it was no longer possible to conceal what had happened.

THE CHAIRMAN: Don't you think, Mr. Jolliffe, if these proceedings had been taken this week before the courts of this province that it would have been better than bringing out this afterwards, when witnesses' memories are dim, in a committee of this sort?

MR. JOLLIFFE: No, I do not think so, if you want my opinion. Since you have asked me that question, I think if this matter had been gone into some months ago, at the time you suggest, it would only have provided an opportunity to make some further changes in the papers and to hide what actually occurred.

THE CHAIRMAN: Oh, no, Mr. Jolliffe.

MR. JOLLIFFE: You asked me the question.

THE CHAIRMAN: I will ask you a question, would not proper proceedings in this thing have been to avail himself, or for Mr. Brewin to have his client avail himself, of the provisions of The Election Act, and have this matter investigated by the courts?

MR. JOLLIFFE: While these documents were still in the custody of the Returning Officer?

THE CHAIRMAN: Well—

MR. JOLLIFFE: You know, we were not born yesterday.

THE CHAIRMAN: I am beginning to find you were not born yesterday.

MR. JOLLIFFE: And you make a suggestion like that.

THE CHAIRMAN: However, I leave the witness to you, gentlemen; perhaps he can explain better to you.

MR. JOLLIFFE: He has answered your question.

MR. WISMER: He has answered your question three times, Mr. Chairman, and you choose to evade the issue. You choose not to listen to his answers.

THE CHAIRMAN: You gentlemen go ahead, then, and ask him questions. Perhaps he will answer you better than me.

MR. WISMER: The answer is on record. It is against you. That is what you don't like.

BY MR. THOMAS: Q. Mr. Frier, may I ask a question; when you sought legal advice from your counsel, did you also seek advice from your leader?

A. No, I just spoke to Mr. Brewin about it. We were over it together, and he—

Q. You never discussed this program of yours with Mr. Jolliffe?

A. No, unless Mr. Brewin did. I don't know.

Q. You never did?

A. No.

Q. You never got any advice at any time?

A. No, not from Mr. Jolliffe. From Mr. Brewin I did.

MR. JOLLIFFE: That is quite correct.

THE CHAIRMAN: Any further questions?

BY MR. DENNISON: Q. I would like to bring out one matter that I think might be brought out. Mr. Frier, were you at the office of Mr. McCabe on the night of the election?

A. No.

Q. You weren't there? On the day of the official count, Mr. McCabe got most of the information from a document he took out of a ballot box?

A. Yes.

Q. Which he read out and you and Mrs. Livingstone made tabulations?

A. That's correct.

Q. Did Mr. O'Connor make any tabulations?

A. No.

Q. That you saw?

A. No.

Q. In case he could not get the information from the ballot box, where did he get the information?

A. From a pile in front of him, a pile of papers.

Q. From a pile on the desk?

A. Yes.

Q. In those cases, did he or you or anyone look at the envelopes in the box, on which is usually written the number of votes cast?

A. No.

Q. He didn't look at the envelopes that you remember?

A. No.

Q. When you first became aware that there had been discrepancies, when was that—when you compared this list you prepared at the official count with some of the—some of your own agents or scrutineers?

A. Yes, it was on the Monday after. We had had this executive meeting where we had the scrutineers there, and Mr. Brewin was—

Q. Speak up louder please.

A. Mr. Hartley Markley and Mr. Lawford were there, and Mr. Lawford was a Deputy Returning Officer in regard to a subdivision where there had been a change and he said: "Porter never got that vote at all," so he said: "There is a mistake there somewhere," so then we got suspicious.

BY MR. DOUCETT: Q. What was that date, please?

A. That was the 14th, it would be the Monday after the official count.

BY MR. DENNISON: Q. What poll would that be?

A. I can tell you that. It was in poll—Ward 2, subdivision 12 (b).

Q. And that poll, might you give us your vote, the vote Mr. McCabe gave to you, and the vote Mr. Lawford returned?

A. 43 for myself, 15 for MacVicar and 44 for Porter.

Q. That is the number Mr. McCabe read?

A. That's right, and my vote—the one on the certificate said 43, 15 and 12.

Q. Did you then endeavor to get in touch with any other Deputy Returning Officer to check their figures with the figures Mr. McCabe had?

A. No, we went over the certificates.

Q. I see. And then you found out the certificates, that your scrutineers brought back, didn't jibe with the figures Mr. McCabe read out?

A. That's right.

Q. And that is when you first became suspicious there had been some change in the numbers or some crooked work?

A. That's right.

BY THE CHAIRMAN: Q. When did you discover the difference in the poll that, for convenience, we will call "the Lawford Poll"; at this time, did you?

A. That would be on the Monday after.

Q. The Monday after?

A. Yes, Mr. Lawford was there himself, and he was the Deputy Returning Officer in the poll.

Q. It seems to me utterly amazing you would not have taken legal action. I think I would have.

A. We wanted to be sure. We wanted to check first. We didn't want to go off on any half-cocked evidence on a thing like this.

BY MR. PRYDE: Q. Mr. Frier, as a candidate, when you saw a discrepancy of this kind, you were anxious to be elected, didn't you take any proceedings to protest the election at that time? I think I would have.

A. We wanted to get the evidence first. We wanted to check the certificates.

Q. But you knew you had certain wrong findings to upset the election; why not come within the specified time?

A. Was there any specified time?

MR. EDWARDS: Four days.

THE WITNESS: After when?

MR. EDWARDS: After the official count.

THE WITNESS: After the official count?

BY THE CHAIRMAN: Q. You had a well-known lawyer as your official agent?

A. It took quite a while to go over the figures and check them with the certificates.

Q. Was not Mr. Brewin president of the C.C.F. Party in Ontario?

A. That's right.

BY MR. DENNISON: Q. Had you ever been a candidate before, Mr. Frier?

A. No, I hadn't.

Q. This was your first experience?

A. Yes.

BY THE CHAIRMAN: Q. Your official agent has been a candidate on several occasions, though, has he not?

A. Yes.

BY MR. WISMER: Q. And he advised you to proceed in the way you did?

A. That's right.



Q. That is the answer. We want to be on—

THE CHAIRMAN: An experienced politician.

MR. JOLLIFFE: Would you like to call Mr. Brewin?

THE CHAIRMAN: Gentlemen, it is up to you to call whoever you want.

MR. JOLLIFFE: I am sure he would be only too delighted.

THE CHAIRMAN: It is wide open.

BY MR. DOUCETT: Q. May I ask a question or two? He said at a certain time, I don't know what date, he had a meeting and at that he decided—

MR. JOLLIFFE: He gave you the date too.

THE CHAIRMAN: The 14th of June.

MR. JOLLIFFE: No.

THE WITNESS: Three times I said it.

BY MR. DOUCETT: Q. Who was present at the meeting?

A. There were quite a few of our executives.

Q. Can you tell us who they were?

A. Yes, I can.

Q. Well, will you do so?

A. Yes, there was Mr. Brewin, Mr. Lawford—

Q. Mr. Lawford.

BY THE CHAIRMAN: Q. Lawford?

A. Yes.

BY MR. DOUCETT: Q. Was he one of the Deputy Returning Officers?

A. That's right.

BY THE CHAIRMAN: Q. A supporter of yours?

A. Yes.

BY MR. DOUCETT: Q. And he was present at this meeting?

A. That's right.

Q. And who else?

A. Mr. Brewin, and I think there was a Jerry Lindsay, Mr. Abbott—Abbey—James Abbey.

Q. Was he another Deputy Returning Officer?

A. I think he was, yes.

Q. Yes, another Deputy Returning Officer and—?

A. I think there was Margaret Lazarus.

Q. Is that another Deputy Returning Officer?

A. No, no.

Q. How many would you say there were present at this meeting?

A. I would say 7 or 8.

Q. And how many of the 7 or 8 would be Deputy Returning Officers?

A. Two that I can remember.

Q. Two? And at no time you discussed this with your leader?

A. No, at no time.

Q. I thought there was greater loyalty in your party than that.

MR. NIXON: What has that to do with loyalty?

MR. WISMER: Our leaders are different from Progressive Conservatives.

A MEMBER: They certainly are.

MR. DOUCETT: They must be.

MR. WISMER: They don't have to take dictation.

BY MR. DOUCETT: Q. That was a meeting at which you decided to take the action?

MR. JOLLIFFE: So there will be no misunderstanding—

THE WITNESS: No, that is not the meeting we decided to take action. There was an executive meeting but I just happened to have the figures with me.

BY MR. DOUCETT: Q. Was there any evidence at that meeting from the Deputy Returning Officers of any discrepancies in their poll, or anything unusual happened during the day of the election?

A. Yes, I think I can recall one. There was a Mr. Abbey—I heard Mr. O'Connor say that he just went to the door of the polling booths; but this Mr. Abbey had been a Deputy Returning Officer in a subdivision, I think up at Charles, though I am not just sure, and Mr. O'Connor came in, and there were two tables in one room. Mr. O'Connor came in and made him take the table out and put it in the hall. Isn't that right?

Q. Of one of the polling booths?

A. Yes.

Q. That is good evidence that fellow should not be a Deputy Returning Officer, if he did that for Mr. O'Connor. Were there a number of your supporters Deputy Returning Officers?

A. They are the only ones I know of. There might have been more, but—

MR. O'CONNOR: Mr. Chairman, may I ask a question?

MR. WISMER: No.

MR. JOLLIFFE: Not a member of the committee.

BY THE CHAIRMAN: Q. Tell me, was this case with Mr. Lawford—Mr. Lawford, I gather, is one of your supporters?

A. That's right.

Q. And he went to this Returning Officer, Mr. McCabe, and he was fair enough to put one of your supporters on as a Deputy Returning Officer?

A. He asked me if I had anyone I would like to put on. I mentioned Mr. Lawford because he is a crippled chap.

Q. Isn't that an indication this Returning Officer leaned backwards—

A. I don't say he leaned backwards anymore than I would have done.

MR. WISMER: Mr. McCabe said in his evidence the other day that he had several people from all three parties.

THE CHAIRMAN: That's right. That's right.

MR. WISMER: I should think that was true all the way across the city. There weren't enough Tories now in Toronto to man the polls.

BY THE CHAIRMAN: Q. You say one of these irregularities in one of the polls arose where a Deputy Returning Officer was your own supporter?

A. That's right, yes.

MR. DOUCETT: Would you ask, what was the vote in that poll?

BY THE CHAIRMAN: Q. What was the vote in that poll?

A. I will read it again. I read it once.

BY MR. DOUCETT: Q. May I just ask a question—is that one of the polls where there was a discrepancy?

A. According to these figures, it is, yes.

Q. That is, the poll where Mr. Lockhart—

A. Lawford.

Q. Lawford was Deputy Returning Officer?

A. That's right.

Q. And the other poll, of the gentleman who attended the meeting, what is his name again?

A. Abbey.

Q. Was there a discrepancy in that poll?

A. I couldn't say on that. Not on my list here.

BY MR. JOLLIFFE: Q. Do you know where the poll was?

A. Yes, I can tell you that.

BY MR. DOUCETT: Q. We would like to know that.

A. It was in Ward 3, subdivision 51 (a).

MR. JOLLIFFE: Well, it is not one of the 25 subdivisions where there were discrepancies.

MR. DOUCETT: There was no discrepancy there?

MR. JOLLIFFE: But, of course, when Mr. Doucett refers to "discrepancies" he refers to discrepancies of what appears on the Form 40 and what Judge Gordon found.

BY MR. DOUCETT: Q. That is what I wanted to find out. If there was any difference between the vote as shown on the recount, and when I say "recount", the one by the Judge and the votes shown on Form 40 of 51 (a), where Mr. Abbey was Deputy Returning Officer?

A. I haven't got that here. I don't think so.

MR. JOLLIFFE: You will have to go to the Judge's report for that.

THE CHAIRMAN: Let us take the Judge's report. I have it here. What poll was Mr. Lawford in?

THE WITNESS: Ward 2, 12 (b).

BY THE CHAIRMAN: Q. 12 (b)? What was the vote Mr. Lawford reported on his certificate?

A. 43 Frier, 15 MacVicar, and 12 Porter.

Q. That is shown here in the Judge's report.

MR. JOLLIFFE: That agrees with the Judge's report?

THE CHAIRMAN: That is right. Now, what does it show on Form 40?

A. 43, 15 and 44.

MR. JOLLIFFE: An increase of 32.

MR. DOUCETT: In that particular poll?

MR. OLIVER: Lawford's.

MR. WISMER: Let us get the one where Mr. Abbey is.

THE CHAIRMAN: No, let us deal with this Lawford one first, Mr. Lawford, Deputy Returning Officer in polling subdivision 12 (b) was one of your own supporters?

A. That's right.

BY THE CHAIRMAN: Q. And the vote in that poll was 43 for you, 15 for MacVicar and 12 for Mr. Porter?

A. That's right.

Q. And on the night of the official count, what were your figures?

A. 43, 15 and 44.

Q. And 44? Now, let me ask this, you attended the official count on the 11th of June, and you took down the figures that you have given there, 43, 15 and 44; and the Deputy Returning Officer, who is a friend and supporter of yours, told you at that time that the vote was 43, 15 and 12?

A. Not at that time, no.

Q. He told you on the 14th of June?

A. On the 14th.

Q. Three days later?

A. That's right.

Q. Mr. Frier, don't you think it was your duty when you had that evidence, there was that change, you should have taken immediate action on this thing?

MR. JOLLIFFE: He did.

THE WITNESS: I did.

THE CHAIRMAN: The first time any official action is taken is when Mr. Brewin and Mr. Jolliffe go to see Major Lewis on the last Friday of October about this thing.

MR. JOLLIFFE: Mr. Chairman, you are mistaken about that, as will later appear if you call Mr. Brewin.

BY THE CHAIRMAN: Q. Did your lawyer, Mr. Brewin, not advise you to take some proceedings under The Election Act in this thing?

A. I left it all to Mr. Brewin. You will have to ask him.

Q. Mr. Lazarus was at this meeting?

A. No, Mrs. Lazarus.

Q. Isn't her husband the Secretary of the C.C.F. party in Ontario?

A. I think so, yes.

Q. A high official?

A. That's right.

Q. This had reached high quarters, then, this matter, on the 14th of June?

MR. DENNISON: Well, this is the riding Mrs. Lazarus lives in, isn't that right?

THE WITNESS: She is a member of St. Paul's, yes.

BY THE CHAIRMAN: Q. But you took no action to appraise or protect the people until later on, sometime in November?

A. We took action, sure we did.

MR. JOLLIFFE: Oh, Mr. Chairman, he said he turned the matter over to the lawyer.

THE CHAIRMAN: Mr. Jolliffe—

MR. JOLLIFFE: And, to remove any misapprehensions from your mind, his solicitor and myself took action considerably before the first of November.

THE CHAIRMAN: I think all this should lead us to believe that certain people high up in your party were more concerned about playing politics than they were in protecting the public.

MR. JOLLIFFE: Mr. Chairman, since you have chosen to make that statement, may I inform you if you will call Mr. Brewin, you will find persistent inquiries were made from the time Mr. Brewin had notice of the matter right down until the month of October, when Mr. Lewis was interviewed.

THE CHAIRMAN: Mr. Jolliffe—

MR. JOLLIFFE: It is no use shutting your eyes to the facts you will get if you call Mr. Brewin.

THE CHAIRMAN: Mr. Jolliffe, here were two polls in which supporters of this candidate were officials and there was indisputable evidence there was something wrong. Now, wasn't there a duty to the public to disclose this situation?

MR. JOLLIFFE: To use Mr. Frier's expression, there was a duty to the public not to "go off half-cocked", a duty to the public also not to give any wrongdoer an opportunity to conceal the evidence.

THE CHAIRMAN: I don't see where; the evidence was then plain there was something wrong with this thing. Now, the question is who did it?

MR. JOLLIFFE: We have no obligation to the public to enable a wrongdoer to hide his dirty work.

THE CHAIRMAN: It was all plain there. Why didn't you do that?

MR. JOLLIFFE: You will find out if you do as I suggest and call Mr. Brewin.

THE CHAIRMAN: May I say this; it is in my mind that there was the question more of discrediting the elected candidate in that riding than in bringing the facts before the people of Ontario. There has been more done to confuse the issue, and fog the minds of the public than—

MR. JOLLIFFE: Mr. Chairman, you are beginning to talk as though any embarrassment caused to your party was of more importance than the abuses of the election process. I think the public has a sense of values which will see the absurdity of the position which you have been expressing for some time. The people who had knowledge of this matter were under no obligation to enable the wrongdoer, whoever he might be, to hide what he had done. The object was to see that the wrongdoer was brought to justice.

THE CHAIRMAN: Gentlemen, any further questions to ask this witness? If not, are there any other witnesses you want to have heard?

The witness retired.

MR. JOLLIFFE: Not today, but as I suggest, Mr. Chairman, I am—

THE CHAIRMAN: We are most anxious to proceed with this. I think we would like to clear this up to-morrow.

MR. JOLLIFFE: I do not know whether you can do that. You will want to call Mr. Brewin, and somebody from the Telegram.

MR. CHAIRMAN: As far as I am concerned, I do not want to hear Mr. Brewin. But if you want him called, we will subpoena him, but that is up to you.

MR. JOLLIFFE: You mean you do not want an explanation of anything you have heard from this witness?

THE CHAIRMAN: We will be glad to examine Mr. Brewin to-morrow morning, at 10 o'clock, if you want him. Mr. Brewin may want to say something in defence of himself in this matter.

MR. JOLLIFFE: He has nothing to defend. Are you suggesting, Mr. Chairman, that Mr. Brewin would have facilitated the concealment of the facts?

THE CHAIRMAN: No, I think Mr. Brewin had a duty, owing to his profession, and as an officer of the court, and King's Counsel, to lay this matter before the court.

MR. JOLLIFFE: That is a matter of opinion. While the documents were in the custody of the Returning Officer? That is a perfectly ridiculous suggestion. You should call Mr. Brewin, if you mean anything you have been saying the last few minutes.

Secondly, you should call the Telegram reporter.

Thirdly, you should subpoena the flimsies which no doubt are still in the possession of the Canadian Press, showing the reports the press received during the night of the election.

THE CHAIRMAN: Mr. Jolliffe, I am quite prepared to subpoena any witness you want who will cast further light on this matter. Just give us the list, and we will subpoena them and have them here to-morrow morning at 10 o'clock.

MR. JOLLIFFE: Well, as we informed you the other day, we want some of the D.R.O.'s subpoenaed, if it appears they are needed. We are not withdrawing that.

THE CHAIRMAN: Do you think they are needed?

MR. JOLLIFFE: I would not know until we have completed this branch of the evidence.

THE CHAIRMAN: You have had nine months to investigate this matter. You should know by now.



MR. JOLLIFFE: Some people are very expert at covering their tracks.

THE CHAIRMAN: Do you not think it is time to stop this attitude of "holier than thou," and that all the old parties are the sinners, and you people are away up in the clouds.

MR. JOLLIFFE: I do not think you should draw on your imagination.

THE CHAIRMAN: I am not drawing on my imagination. The facts are here before this Committee.

MR. JOLLIFFE: What facts, Mr. Chairman.

THE CHAIRMAN: Well, I leave that to you.

MR. JOLLIFFE: To what do you refer? Mr. Chairman, you seem to think that somebody else is on trial in this matter. The people responsible for the conduct of the election are on trial here, and if you are trying to shift the onus to those to whom this matter became known, then you will not succeed.

THE CHAIRMAN: I have not shifted the onus. You gentlemen have done that.

MR. JOLLIFFE: No, but you have attempted to shift it.

THE CHAIRMAN: The Committee would like to get your information on this, surely.

MR. OLIVER: The newspapers will have enough of this.

MR. JOLLIFFE: What is the explanation? When you were asked to call Mr. Brewin—

THE CHAIRMAN: No, let me put it this way. I can assure you we want any person who can throw any light on this matter, and if you will give us a list, we will subpoena them. I said this enquiry would be wide open, and it is. Now, let us have the list, and we will subpoena them. Or if any other member of the Committee wants any other witness, alright, we will subpoena him too.

MR. JOLLIFFE: I want the Telegram reporter subpoenaed, and if I cannot give you his name to-day, then I want Mr. McFarlane subpoenaed to say who it was.

THE CHAIRMAN: Mr. Jolliffe, you were most anxious and tried to make it appear that we were not anxious to have an investigation of this matter. You were anxious to get this thing disposed of. We are here to dispose of it, and that is what we want to do. You have investigated this matter, and you may have information which the Committee has not got. If you will give it to us, we will investigate it.

MR. JOLLIFFE: I am telling you, unless I can give you the name of the reporter, I want Mr. McFarlane subpoenaed to say who he was.

THE CHAIRMAN: After all these months of investigation, do you not know the name of that reporter?

MR. JOLLIFFE: No, I do not. None of the witnesses have been able to recall it.

Secondly, I want some person from the Canadian Press subpoenaed to bring the flimsies showing the progressive returns from St. George's riding.

THE CHAIRMAN: Give me the names, and we will subpoena them.

MR. JOLLIFFE: I will give you their names.

THE CHAIRMAN: We want to get this done, as Mr. Grummett wants to go up North on Friday.

MR. JOLLIFFE: I think Mr. Brewin will be here, if he is in town.

THE CHAIRMAN: Do you want him subpoenaed?

MR. JOLLIFFE: I do not think we would have to subpoena him. (To Mr. Frier) Do you know whether Mr. Brewin is in town?

MR. FRIER: He was not back last night, but I understand he was to be back this week.

MR. JOLLIFFE: He was to appear before the Supreme Court this week.

MR. DENNISON: I would like to see Mrs. Lamb subpoenaed, the D.R.O. at 101 (b).

THE CHAIRMAN: Was Mrs. Lamb one of your supporters, Mr. Frier?

MR. FRIER: I do not remember that.

THE CHAIRMAN: What has she to do with it?

MR. DENNISON: You asked for the names of those to be subpoenaed. I think we should also take a semblance of these D.R.O.s to find out exactly—

THE CHAIRMAN: How would it be if you got these two people you talked to, Mr. Lawford and Mr. Abbey? Bring them along.

MR. JOLLIFFE: I do not think this is an unreasonable request. You have had evidence from the Returning Officer and Mr. O'Connor as to what occurred at the door; would it not be a good idea to check that with a couple of the D.R.O.s?

THE CHAIRMAN: Bring them here. You want Mr. Brewin? Anybody else?

MR. DENNISON: I would like Mrs. Lamb subpoenaed from subdivision 101 (b). Secondly, I would like to have Mr. Hendrick subpoenaed.

THE CHAIRMAN: Who is he? I never heard his name in the evidence.

MR. DENNISON: His name was the D.R.O. mentioned in subdivision 1 or 2; I am not sure.

THE CHAIRMAN: Alright, we will have Mr. Hendrick.

MR. DENNISON: To be perfectly fair, I am sure you will agree that now taking just one of the other bad polls where there was a large change that took place, and subpoena someone from there—I would like to hear Mr. Jolliffe suggest someone. I do not know who to subpoena, but I would like to have someone we did not know, then we will have a sort of a spot check.

MR. DOUCETT: What do you call a "bad poll"? I think they are all good.

MR. DENNISON: The polls which were bad for us, but good for the Progressive-Conservative Party.

MR. GRUMMETT: Why not have the D.R.O. of Poll No. 10. That was raised from 27 to 127.

MR. JOLLIFFE: That is an example.

THE CHAIRMAN: I will not stand in your way.

MR. DENNISON: I would like to subpoena the D.R.O. from Poll No. 10. Who is No. 10?

MR. HARVEY: That is Mr. George Lane.

MR. PRYDE: Mr. Chairman, I am not a lawyer and have not had very much to do with court procedure, but it seems to me if you are thinking of calling a lot of witnesses to give evidence, we have Form 35, which is given to each of the candidates, showing the result of the vote in that poll.

MR. GRUMMETT: No, Form 36.

MR. PRYDE: There is a form given each of the candidates showing the result of the vote in that poll. Mr. Frier got one, Mr. Porter got one, and Mr. MacVicar got one. If those were alright, we could get them. We could then tally up what was on Form No. 40, and we will get down to it. We are trying to find out who falsified Form 40.

MR. JOLLIFFE: It is not only Form 40 which was falsified.

MR. GRUMMETT: The candidates do not always receive Form 36 from each poll. I have tried in three elections to check that, and I would receive maybe three-quarters of the Form 36's. A lot of the D.R.O.s never forward them to me.

THE CHAIRMAN: Gentlemen, my own view is this; I do not see how these Deputy Returning Officers can possibly add anything to this.

MR. JOLLIFFE: They can say what happened at the door.

THE CHAIRMAN: Mr. Frier tells of his discussions with Mr. Abbey and Mr. Lawford on this night of the 14th of June, when this thing was discussed and investigated. I do not think myself they can add anything more to what Mr. Frier has said, or to the sum total of the information before this Committee.

Gentlemen, this is the situation; as I have said, this thing is not going to be a "whitewash". We are anxious to get all the facts, and if you gentlemen think it will produce anything, we will have them here. I cannot be more fair than that.

MR. JOLLIFFE: Actually, Mr. Chairman, I think you should keep in mind—and I may as well be frank about it—there are a good many persons who do not know any more about it than you do. We are as anxious to get to the bottom of this as you are. And if we do know of witnesses whom we think, or who say they have something to contribute, we shall call them.

THE CHAIRMAN: If I was licked in an election, and found out something three days afterwards, I would certainly have raised an objection. That applies to our Party, and I think to the Liberal Party also. We do not take things lying down.

MR. JOLLIFFE: Do you think we have taken things lying down?

THE CHAIRMAN: I cannot understand your action.

MR. DENNISON: Here is an important point we should clear up. The Deputy Returning Officer has to take an oath after the closing of the poll to the effect that "the box which was locked and sealed by me in accordance with the provisions of The Election Act, remained so locked and sealed while in my possession."

I presume that means until it was delivered to the Returning Officer.

MR. GRUMMETT: Until he takes that oath.

MR. DENNISON: Yes, but I think in looking for loopholes where these discrepancies might have occurred, we should not overlook this very important link—

THE CHAIRMAN: We have had the Returning Officer and he has given his evidence. We could ask him if he swore all these people.

MR. WISMER: Put him on the stand, and we will find out.

THE CHAIRMAN: Let Mr. McCabe come forward.

MR. DENNISON: Mr. Chairman, Mr. McCabe's memory in trying to remember other things which happened that night was not too good, and I do not think he can tell us whether he swore everybody.

THE CHAIRMAN: I think he did very well.

MR. DENNISON: Mr. O'Connor said he did not.

MR. GRUMMETT: As a matter of record, that Form should be referred to as "Form 39".

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DANIEL McCABE, a witness previously heard and now recalled, who having been already sworn, continued his testimony as follows:

BY MR. DENNISON. Q. On the night of the election, when the Deputy Returning Officers returned to you with their ballot boxes—

A. They had to have that (indicating) with them.

Q. Did you swear them in?

A. If they were not sworn in, I did. Most of them were sworn in. They were expected to, if the certificate was not signed.

Q. Who would swear them in, if you did not?

A. I could find that in the book. I cannot just tell you now. I guess the poll clerk can administer the oath. I do not remember right now, but I think so.

Q. This oath has to be administered, I understand, when the ballot boxes are handed to you?

A. Where does it say that?

MR. GRUMMETT: Section 20.

THE WITNESS: It says "The Deputy Returning Officer, after the closing of the polls." And then it says:

"A Commissioner, and so forth, as the case may be,"

and then they just put "poll clerk" on that.

BY THE CHAIRMAN: Q. In other words, if they did not give you the form completed, then you swore them right there and then?

A. Yes, and then I got a form from every one of them.

BY MR. NIXON: Q. Mr. McCabe, did you swear anybody that night when they handed their box across the table?

A. Oh, yes; I swore a few. If they handed me the form without it being signed, I would make them sign it.

BY MR. DENNISON: Q. Do you remember if you swore any of these people who returned from the subdivisions in which there was a discrepancy?

A. I do not know anything about any "discrepancy".

Q. The other day we described something about that?

A. How could I remember who I swore in? I cannot tell you even now. I know there were some.

Q. Mr. McCabe, the other day when you were giving evidence here, Mr. Jolliffe read out to you a list of the polls which had discrepancies?

A. Yes.

Q. And we asked you where those polls were located?

A. Yes, and I looked them up on the proclamation.

Q. The point is, do you remember having sworn those particular D.R.O.s that night?

A. I do not remember. I cannot give you the name of one.

Q. You cannot give us the name of one you swore in?

A. No, but I know there were a few I would have to swear in, but most of them were advised to have the forms filled out, and have them completed.

Q. All ready for you to sign?

A. I did not have to sign it, if they were completed.

THE CHAIRMAN: If the oath was sworn before a Commissioner—

MR. DENNISON: On election night, you do not have a Commissioner hanging around street corners.

THE WITNESS: You do not have to have a Commissioner. The poll clerk can take the oath.

BY MR. DENNISON: Q. The poll clerk could take the oath?

A. I think so.

Q. I doubt that very much.

A. The poll clerk can take the oath, the same as any other.

THE CHAIRMAN: It says here:

"The Returning Officer and election clerk shall have power to administer any oath required by this Act with respect to the election, and the Deputy Returning Officer and poll clerk may administer any oath except such as is required to be administered to the Returning Officer."

MR. DENNISON: Then a serious breach has taken place.

THE CHAIRMAN: Oh, nonsense. The poll clerk can take the oath.

MR. DENNISON: I maintain the Deputy Returning Officer cannot take this oath, nor sign this statement, until he delivers up possession of the box, because the oath he takes is that: "It remained so locked and sealed while in my possession." He, therefore,—

THE WITNESS: He had it in his possession up until then.

MR. JOLLIFFE: You are completely missing Mr. Dennison's point.

THE CHAIRMAN: Let me understand his. Supposing we consider a Deputy Returning Officer up at Moosonee. He takes the oath before the poll clerk, or somebody else who could administer the oath, but he may have to take his box down to Cochrane, or wherever it happens to be.

MR. JOLLIFFE: Will you listen to Mr. Dennison's point? You have not heard it.

MR. DENNISON: He has to take the oath that this box "remained locked and sealed while it was in his possession."

THE WITNESS: So he does.

MR. JOLLIFFE: How can he do that, when he has possession of it for half an hour afterwards.

THE CHAIRMAN: He takes the affidavit and hands it to the Returning Officer.

THE WITNESS: He has to abide by the affidavit.

MR. DENNISON: He would have to take this affidavit when he gives up possession, I suggest.

MR. WISMER: Mr. Chairman, on your basis, the affidavit could have been signed a week before.

THE CHAIRMAN: No.

MR. WISMER: Of course it could.

MR. JOLLIFFE: Mr. Chairman, let us make this clear. Under section 9, he could not make that affidavit before the poll clerk, before he leaves the place where the voting is held. Then a period of half an hour elapses—

THE CHAIRMAN: Yes, but he has the affidavit. It is in his possession.

MR. JOLLIFFE: Already sworn. When he swore to it, it was true, but anything can happen in a period of half an hour, between the time he swears to

that affidavit and the time he gives up possession. That is Mr. Dennison's point.

MR. DENNISON: He could have opened the box and made these changes, and turned over the wrong figures to Mr. McCabe. To clear that up, I think we should question a few of these Deputy Returning Officers from the polls, up to the time of their delivering the boxes to the Returning Officer's office.

MR. JOLLIFFE: To whom shall I give these names? To Mr. Harvey?

THE CHAIRMAN: Yes.

MR. NIXON: I move we adjourn.

MR. HARVEY: May I say, Mr. Chairman, that the printers are stuck as far as completing the printing of our election returns are concerned, and I have gone to the trouble of compiling a correct statement of Form 40's based on the figures presented to this Committee by Judge Gordon. The printers are being held up with a large amount of work, and the Clerk of the Crown in Chancery would like to have the authority to release these figures.

MR. JOLLIFFE: Mr. Chairman, Mr. Harvey has suggested that the Clerk of the Crown in Chancery would like to have the authority to release Judge Gordon's figures for the purpose of the final returns. I do not know what authority this Committee has, but as far as we are concerned, I see no objection.

THE CHAIRMAN: Mr. Harvey can prepare it and check it.

MR. HARVEY: They have been checked.

THE CHAIRMAN: Let the Returning Officer sign it. That is all there is to it.

MR. GEUMMETT: I do not think the Returning Officer has the authority to sign it now.

MR. WISMER: Who would sign it. The figures were obtained in the recount. The Returning Officer making the return has to sign it.

MR. JOLLIFFE: I would suggest by direction of the Committee, Mr. Harvey sign the Form 40.

THE CHAIRMAN: I am satisfied, if that will meet requirements.

MR. HARVEY: I can assure you the figures are absolutely correct.

MR. JOLLIFFE: Oh, we do not question that.

Motion agreed to.

Whereupon at 1.25 of the clock p.m. the further proceedings of this Committee adjourned until Friday, March 18th, 1949, at 10 o'clock in the forenoon.



## FIFTH MEETING

Toronto, Ont., March 18th, 1949,  
10 o'clock a.m.

The further proceedings of this Committee reconvened pursuant to adjournment.

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THE CHAIRMAN: Gentlemen, we will call the roll.

The roll called; all answering "present" excepting Mr. Murdoch.

THE CHAIRMAN: Well, gentlemen, we are ready for business. The first witness on my list is Mr. Brewin.

MR. JOLLIFFE: Mr. Brewin is here, I think, Mr. Chairman, but Mr. MacDougall of the Canadian Press is also here. His evidence will not take very long, and I think he wants to get away.

THE CHAIRMAN: Very well.

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FRASER MACDOUGALL, a witness being called and duly sworn, testified as follows:

THE CHAIRMAN: Gentlemen, how did Mr. MacDougall become entangled in this affair?

MR. JOLLIFFE: If you will permit, Mr. Chairman, I will ask one or two questions.

THE CHAIRMAN: Go ahead.

BY MR. JOLLIFFE: Q. Mr. MacDougall, what is your position?

A. I am chief of the Ontario Service of the Canadian Press.

Q. And were you in that office on the night of June 7th last year?

A. Yes, I was.

Q. Did the Canadian Press carry a progressive return from the constituencies throughout the province?

A. That is right.

Q. Have you the returns which passed through your office relating to the riding of St. George?

A. Yes, sir.

Q. On June 7th?

A. Yes.

Q. Will you produce that?

A. Yes. I have them here. For convenience, I have them on a card, which is easier to read than to look through the files.

Q. The files relate to a number of constituencies?

A. The file is the complete election report we carried that night.

MR. JOLLIFFE: If there is no objection, I think Mr. MacDougall might tell us what his files shows that night for the riding of St. George.

THE CHAIRMAN: Mr. Jolliffe, is that evidence of any value?

MR. JOLLIFFE: Oh yes, very definitely.

THE CHAIRMAN: Mr. MacDougall is endeavoring to compile unofficial returns by telephone under great difficulties. What particular value would that have?

MR. JOLLIFFE: I think we will see—

THE CHAIRMAN: I have no objection, if the members of the Committee have none.

BY MR. JOLLIFFE: Q. What did the first return show?

A. The first return was for 35 polls out of a total of 130. It showed, "MacVicar 1,322, Porter 2,824, and Frier 1,885."

Q. Yes, but does your report show what time that was filed?

A. That was carried on our wires at 8.12 p.m.

Q. And what is the second report?

A. The second report, carried on our wires at 8.29 p.m., was for 60 out of 130 polls, and it showed "MacVicar with 2,480, Porter 5,337, and Frier 2,829."

The third report, carried at 10.50 p.m., was for 126 out of 130 polls, and it showed "MacVicar 4,844, Porter 11,725, Frier 7,205."

The final report we carried on election night at 11.30 p.m. for 130 polls, complete, showed "MacVicar 4,907, Porter 11,826, and Frier 7,285."

MR. JOLLIFFE: Thank you very much. That is all the questions I have to ask.

BY THE CHAIRMAN: Q. Could you tell us anything about the missing reporter?

MR. JOLLIFFE: I understand the missing reporter has been identified. I do not think Mr. MacDougall would know about that.

BY MR. DOUCETT: Q. Mr. MacDougall, how did you get those figures? By telephone?

A. No. These figures of ours, Mr. Doucett, are actually compiled by the three newspapers. They were compiled in the office of the Evening Telegram, through a co-operative arrangement between the three papers set up to cover Toronto and the Yorks, and we took their returns at the Telegram office, and carried them into our office on a teletype circuit. There was no telephone involved, as far as we were concerned.

Q. You got your returns from the other press?

A. Yes.

BY THE CHAIRMAN: Q. I suppose your returns would come from the press representative or representatives who were in that riding?

MR. JOLLIFFE: Indirectly.

BY THE CHAIRMAN: Q. They were read back to you?

A. Yes.

Q. That is, the reporter in the office would report to his newspaper, and the information was pooled in some way or other by the Toronto papers, and then you got it?

A. That is right.

The witness retired.

MR. JOLLIFFE: One of the members of the Committee has just asked whether the document to which the witness referred should not be filed.

THE CHAIRMAN: Oh, I do not think so.

MR. JOLLIFFE: The figures are on record, and I do not think they are questioned.

THE CHAIRMAN: They can be taken from the record.

MR. MACDOUGALL: I would rather not file them. We need them.

MR. GRUMMETT: As a souvenir, perhaps.

THE CHAIRMAN: Is Mr. Brewin next?

MR. JOLLIFFE: Yes, although Mr. Osler wants to get away. I think his evidence will be very brief.

THE CHAIRMAN: I think we will hear Mr. Brewin.

ANDREW BREWIN, a barrister and solicitor, one of His Majesty's counsel, a witness being called and duly sworn, testified as follows:

BY THE CHAIRMAN: Q. Now, Mr. Brewin, you are a practising barrister and solicitor?

A. That is correct.

Q. How long have you been practising, Mr. Brewin?

A. Since 1930

Q. About 19 years?

A. That is right.

Q. And you were in this election, which was held in the provincial riding of St. George's on the 7th of June, and were the official agent for Mr. Frier?

A. That is correct.

Q. You are, also, I believe, a candidate in the corresponding Federal riding for the Federal election which is said to be coming along some of these days?

A. I am now; I was not then.

Q. You had no idea, I suppose, at that time?

A. I had my suspicions of the possibilities.

Q. And you are the president of the Ontario C.C.F. Party?

A. That is correct.

Q. You are really the "High Command"?

A. Well, we have a very democratic party. I am at least the figurehead, shall we say.

Q. You have been a candidate before?

A. Yes. I was a Provincial candidate in St. George's in 1943, and a Federal candidate in St. Paul's in 1945.

Q. You have reasonable experience in elections, then, both in your legal and political capacities?

A. I would say I have had considerable experience, and expect to have a great deal more, too.

Q. Perhaps not of the same unfortunate nature?

A. Oh, I do not think so. I would not say it was "unfortunate".

Q. Mr. Brewin, there are a number of matters in which the Committee is interested, and perhaps upon which you can help them. There are certain matters which impressed me, and one of them is that yesterday Mr. Frier, who was the candidate for whom you were the official agent, and afterwards your client, when an application was made to the Supreme Court, stated that he was present at the official count which was held on the 11th of June, in the morning, and that subsequently on the 14th of June, on a Monday, he met at a meeting at which you were present as his official agent, Mrs. Lazarus who, I believe, is the wife of the secretary of the Ontario C.C.F. Party, and at least two Deputy Returning Officers, Mr. Addy and Mr. Lawford. There may have been others, but, in any event, those names occur to me as having been mentioned.

He stated at that time that Mr. Lawford and Mr. Addy had shown the actual count in their polls of certain figures which we can mention here, and it appeared at the official count that those figures were very substantially different, and upon an investigation held that night, it appeared from the returns which he had received from the various polls and checked against this statement which had been prepared on the day of the 11th of June, at the official count, and that there was a distortion of the actual figures by about 1400.

What have you to say about that?

A. Well, that is perfectly correct up to a point. At that particular night, Mr. Frier had his own list which he had taken at the official count.

Q. That is right.

A. Then, when we were discussing the election results, I do not know how it came up, but my recollection is he mentioned that a particular figure in a particular subdivision was so-and-so, and one of those present said it was not correct. I had my own certificate, and I remember Mr. Frier calling that particular subdivision.

Q. You mean, yourself, from your own knowledge, you knew that there was something wrong?

A. I knew there was something wrong, because I was Mr. Frier's agent in one of the subdivisions myself, where Mr. Porter was shown as having had 88 votes, and I counted them myself, and he had 38 votes. So I certainly knew about it. I counted them myself very carefully, and I actually had the figures I had taken that night.

Q. You had at least three polls from which you had your own count, and you had present with you actually two of the Deputy Returning Officers who are, by the way, supporters of Mr. Frier and were appointed under an arrangement apparently made with the Returning Officer down there that these men should be given these positions on that day?

A. I do not know anything about how they were appointed, but that may well be so.

Q. You have been in that riding for a long time, and you knew Mr. Lawford and Mr. Addy, and knew they were supporters of your Party?

A. Oh yes, very definitely.

Q. There is no doubt about that?

A. No doubt about that at all.

Q. You started out on this basis, that you had knowledge of it, and knowledge of two men who were supporters of your candidate, therefore, you would thoroughly rely upon what they would say?

A. Oh yes.

Q. You then had on that night of the 14th of June, these three polls at least, of which you were absolutely sure, and then your computation showed there were about 1,400 votes difference, in addition to that?

A. We did not make the computation that night.

Q. Mr. Frier said you did?

MR. JOLLIFFE: No, he did not say that.

THE WITNESS: If he did say that, I think his recollection is in error.

BY THE CHAIRMAN: Q. How many other errors or changes did you find? You found a very substantial number?

A. All we knew that night was there were at least four or five which were changed. I cannot remember the exact number, where the figures appeared to be wrong.

Then we collected from our various scrutineers in the polls such certificates as we could, later on that morning.

Q. How long did it take you to do that?

A. Possibly about two weeks. I made a list which showed the 1,400-odd discrepancy, from the best information we could get.

Q. On the night of the 14th when you had that meeting, you at that time knew that there were substantial differences in four or five polls, and that caused you to start an investigation into the rest of them?

A. That is right.

Q. Who else was present at that meeting on that occasion?

A. I am not quite sure. I think very likely my wife was there, but I would not like to be certain. There may have been one or two other members of our executive.

Q. You mean the riding executive?

A. Yes, that is right.

Q. Anybody else from the "Higher Command"?

A. Not that I know of. I mean "Higher Command" is very vague; it may be the "Higher Command" of St. George's.

Q. You are President of the Ontario Party?

A. Yes, but this had nothing to do with the Ontario Party. That meeting was purely of the St. George's group.

Q. When dealing with local matters, you divorce yourself from the general policy—

A. I was attending a meeting of the local constituency organization. I do not know about "divorcing" myself. I was there in my capacity as a member of the local organization.

Q. Was Mr. Lazarus there?

A. No.

Q. But his wife was there?

A. I think she was there. She is also a member of St. Paul's organization. I am pretty sure she was there.

Q. Mr. Brewin, what has concerned some of us is that this very serious situation became apparent to you on the night of the 14th of June, three days after the official count, well within the limits of the protecting provision of the statute, in The Election Act, and one immediately wonders why counsel of your standing, and one with your knowledge of election matters, would not immediately have availed yourself of the provisions of The Election Act, to bring this matter to the attention of the law, and to the courts of this province, and to the people of the province, who, after all, we are supposed to protect. Why did you not do that?

A. Well, it would take me a little time to explain. I think I had better just give you the facts of that particular night.

All we had was the fact that the false figures—what we assumed to be the false figures—had been reported by Mr. McCabe at the official count. We then took two or three weeks, I think, checking to see whether what we found that night was general or not, and that would bring you down somewhere into June. Then I would say frankly that I considered whether we should prosecute anybody,

and it occurred to me first of all that the mere reading out of the false figures would not necessarily be an election offence, it might be explained.

THE CHAIRMAN: We would think it was a very—

MR. JOLLIFFE: Let us get the account from the witness.

MR. CHAIRMAN: Just a minute, you can ask questions from the witness.

MR. JOLLIFFE: We have heard much more from you than we have from the witness so far this morning.

BY THE CHAIRMAN: Q. Go ahead, Mr. Brewin.

A. Well, what I was going to say is I considered it fairly carefully and came to the conclusion if there was anything wrong it would be shown on the election documents, themselves, not on the oral statement of Mr. Frier that he had been given these figures, so I knew—we knew—that under The Election Act it was required that the returning officer should send in all his papers, including the certificates on the various elections and also make an official return, and we considered that if there was anything wrong it would then be revealed. We knew very well that we did not have any basis for laying a charge against Mr. McCabe or anybody else that particular night—

Q. Well,—

A. Let me finish, and then you can question me about it.

Q. All right, go ahead.

A. That we didn't have any basis that particular night, until he filed his returns, so that we could see whether any of the certificates had actually been changed; we could, by inspection of the certificates, see whether the form that he put in was in accordance with the true figures as we had them on our certificates or whether there was, perhaps, something wrong with our certificates that the election documents would reveal.

It also occurred to me, and it seems to have been a reasonable supposition that if we disclosed at that time what was happening, the incriminating documents might well be destroyed, so we thought the proper thing to do was to wait until Mr. McCabe had carried out his duties under The Election Act, while the returns, and all the documents—I mean, I don't think the courts at that stage, or anybody, would give him the right to come and take these documents.

Q. Well now, Mr. Brewin, you are a solicitor of long standing in this Province; are you familiar with The Election Act?

A. Well, I have read it over a number of times.

Q. Did you ever read section 130 of The Election Act?

A. I expect I have.



Q. Well, you might read that section 130.

A. You want me to read the whole thing?

Q. Yes, read it.

A. You really want me to read it all?

Q. Yes, Indeed.

A. It is a long one, Section 130 (witness reads from the Act):

“(1) In this section and in sections 131 to 143 ‘judge’ shall mean the judge of the county or district court and where there are two or more judges the senior judge, or a junior judge, in case of the illness or absence of the senior judge or where the senior judge requests him to act.

(2) If within four days after that on which the returning officer has made addition of the votes for the purpose of declaring any candidate elected,”

Q. Well,—?

A. Yes?

Q. I want to point out this count took place on the eleventh.

A. Yes.

Q. Your meeting was on the fourteenth. Just read on, please.

“—upon the application of a candidate or a voter, it is made to appear by affidavit to the judge of the county court of the county in which the electoral district or any part of it is situate that a deputy returning officer has in counting the votes,

(a) improperly counted any ballot paper;

(b) improperly rejected any ballot paper;

(c) made an incorrect statement of the number of ballots cast for any candidate; or

(d) that the returning officer has improperly added up the votes;”

Q. I would like you to go a little slower. You have read:

“(a) improperly counted any ballot paper;

(b) improperly rejected any ballot paper;

(c) made an incorrect statement of the number of ballots cast for any candidates; or—”

—and (d)—read that one, please.

A. "That the returning officer has improperly added up the votes;"

Q. Yes, but the returning officer—that would be Mr. McCabe in this case.

A. Yes.

Q. Has "improperly added up the votes." Yes, read that.

"and if the applicant deposits within that time with the clerk of the county court the sum of \$100 in legal tender, or in the bills of any chartered bank doing business in Canada, as security for the costs, in connection with the recount or final addition, of the candidate appearing by the addition to be elected, the judge may appoint a time and place to recount or finally add up the votes cast at the election.

A. "(1) The returning officer and his election clerk shall attend at the time and place appointed with the envelope containing the ballot papers, or the original statements of the poll, as the case may be.

(2) The ballot papers and original statements shall continue in the custody of the returning officer, and he shall be responsible for them, subject to any direction which the judge may give in respect thereto."

Q. You notice that "subject to any direction which the judge may give in respect thereto"?

MR. JOLLIFFE: Of course, that is the "joker" in the whole thing.

BY THE CHAIRMAN: Q. Just a moment. Do you think, Mr. Brewin, if you had stated in your affidavit what was then very apparent and had asked the judge to impound all of the election papers, you could have gone and attended at the judge and asked for that to issue at once that all these papers be impounded; don't you think the judges of the courts of this land would have, on the evidence you had had then, done that very thing.

A. Well, they might. To tell the truth, we didn't consider that these recount provisions were in point at all.

Q. Well now, let me ask this—

A. Let me finish.

Q. What do you think now, in the light of that section?

A. I still think that the recount provisions were not appropriate provisions. We were not disputing or expecting that on the recount it would be shown Mr. Porter was not elected. What we did think was there had been fraudulent changes made in the certificates.

Q. All right.

A. It is not covered by this section at all, apparently—

Q. Let me ask you this, Mr. Brewin—aside from your political position, you are a solicitor of the Supreme Court of Ontario.

A. I think I said that several times.

Q. You are an officer of the Court; have you, outside of your political affiliations, at all, a duty to the people to take action in such a case as that.

A. I see the duty to take the appropriate action, and I have taken the appropriate action.

Q. Let me ask you this—

A. I used my own judgment as to what was right.

Q. Don't you think your action was dictated more by the fact that you had political aspirations in St. Paul's Riding and were more anxious to create political smoke than to bring these offenders to judgment.

A. Absolutely not, and if you give me a chance to tell you what I did, I will show you that insinuation is entirely unwarranted and false. Let me explain the situation now.

As far as these recount provisions were concerned, I thought, and I still think, they are quite inappropriate, because we were not concerned with a wrong addition of the vote, we were concerned with an election offense, which meant changing the certificates themselves. It was my opinion that the proper thing to do was to see whether the returning officer would, as his duty is, turn in all the figures correctly in his final account, and whether or not he would file the certificates which might give evidence that the changes had been made. Actually, I was away for most of June—I mean I was away during—in England, for most of the summer, July and part of August; when I came back, I asked Mr. Osler to find out when the election returns were filed by Mr. McCabe, which he tried to do, apparently without success.

When I came back to my office some time in September, I found those returns were not in. I was away, I think again in Vancouver for some time—during October—and as soon as I found a convenient time when I got back, I discovered that eventually the returns had been filed, and the documents turned in by Mr. McCabe, and I arranged with Mr. Jolliffe to go and see the electoral officer, the Chief Electoral Officer, Mr. Lewis, and put all the facts as we knew them before him, and I suggested to him that it was up to them on a non-political basis, as the Chief Electoral Officer, to take whatever steps were required to investigate and if necessary prosecute anyone who was at fault. I gave that full opportunity, I believe Mr. Lewis informed Mr. Porter of the fact—

Q. What date was this, about November 1st?

A. That was some time towards the end of October.

Q. That's right. Now, let me ask this—

A. May I finish my bit first?

Q. Just a moment. Your investigation took place in the month of June.

A. That is correct.

Q. Mr. Frier stated in his evidence yesterday that you knew of these very substantial differences on the 14th of June?

MR. JOLLIFFE: Some of them.

MR. DENNISON: Mr. Frost, may we—

THE CHAIRMAN: Just a minute.

MR. DENNISON: May we hear—

MR. JOLLIFFE: Let us not misquote Mr. Frier.

THE CHAIRMAN: You can ask all the questions you like. You knew, then, by the end of June the substantial truth in this situation.

A. Well, I didn't—I don't know to-day. I presume that is what this inquiry is about.

Q. Let me ask you then, why didn't you at that time then take the proceedings instead of waiting until late in November to do this?

A. I have already—

MR. JOLLIFFE: What do you mean "late in November", Mr. Chairman? I think these misquotations have gone far enough.

THE CHAIRMAN: Q. I'm sorry—late in October.

MR. JOLLIFFE: If you listened to the witness you will find a good deal happened, by the end of October.

THE CHAIRMAN: You may ask a question—

MR. JOLLIFFE: This is not a matter of asking questions, you are conducting these proceedings, Mr. Chairman, in my opinion most improperly. You have started with cross-examination. I assumed you were going to get information from the witness and then cross-examine if you wished.

THE CHAIRMAN: I am endeavouring to get information.

MR. JOLLIFFE: Instead, you put the cart before the horse. If you want information, I suggest you let the witness tell you.

THE WITNESS: If I may explain, I have told you perfectly clearly, it was our view there was no election offence and no evidence of an election offence until we had the documents filed where they should be filed—with the Clerk of the Crown in Chancery. When we saw the documents, there might be an explanation which would make it improper to say anything about it or draw up charges.

BY THE CHAIRMAN: Q. Mr. Brewin, when you saw these figures were distorted in the way they were, you say you were in the poll yourself where Mr. Frier's vote was 38 and that it had been distorted to 138—

A. Well, I said "88".

Q. All right, 88.

A. Well, get it right.

Q. That's a small amount when we get to 2,000.

A. We might as well be accurate.

Q. Then, let me ask you this: how did you know at that time the thing did not go to the very root of the election—that it might not be in all the polling subdivisions and the thing was all distorted? Don't you think in the interests of your client, Mr. Frier, as his official agent, you should have taken an immediate recount to see what the situation was?

A. No, I do not.

Q. Tell me, what would have happened when we had the recount by Judge Gordon if it had been disclosed that instead of Mr. Porter having a majority of 2,700, the vote went the other way? You weren't very urgent—

A. I thought since Mr. Porter was supposed to have a majority well over 4,000—

Q. "Supposed to have"? Don't you think as his official agent, you would want to know for sure whether Frier was elected or not?

A. I concluded very definitely Mr. Porter was elected, and I so told Mr. Lewis when I first saw him, and that seemed to me the fact.

Q. May I say this, Mr. Brewin, that I think if I were in that situation and that is what I found, I would be raising an awful smoke in the Courts of this land to find whether or not I was elected.

A. Well, I tried—

MR. JOLLIFFE: Don't go half cocked.

MR. CHAIRMAN: All right.

THE WITNESS: Let me make it clear to you what the situation was. The

only thing we discovered and what we suspected was that some person, it might be the returning officer and it might be someone else, with him perfectly innocent of the thing, had fraudulently changed the certificates. Now, it is perfectly obvious that to make any statement about that, until you get in a position to get those certificates and inspect them, or to give an opportunity to the person who had made the changes to destroy the certificates would be a great mistake.

Q. I suppose—

A. As far as these recount provisions, as a matter of fact, I understand with controverted elections you can apply within a year. I may have—I may be wrong on that, but as far as these recount provisions, they had nothing to do with that, as I saw it, and were quite unhelpful, as indeed, they have not proven very helpful to this committee. They only confirmed what was apparent when the recount—

Q. I suppose, Mr. Brewin, on the same reasoning, if you saw murder being committed on Yonge Street, you would not report it to the police until you were sure who did it; is that it?

A. I personally think that is a fantastic suggestion, if I may say so respectfully.

MR. DENNISON: Mr. Chairman, you are suggesting Mr. Frier should have probably spent \$500 in having a recount which would not have got to the bottom of the fraud at all; and Mr. Frier took the position—I think rightly that this was the duty of the officers of the crown—

THE CHAIRMAN: No.

MR. DENNISON: —to track this fraud down.

THE CHAIRMAN: Yes, Mr. Dennison, you say this, but Mr. Frier did not have any compunction on the part of Mr. Brewin here to bring an action in the Supreme Court late in December that probably cost more than \$500.

MR. WISMER: Why can't you ask the witness questions?

THE WITNESS: Let me explain that. We knew the situation—that the fraud, if any, consisted in dealing with the certificates—

BY THE CHAIRMAN: Q. How did you know that?

A. It was obvious.

Q. Did you not have cause to think this thing might go to the very root of the thing?

A. We didn't have any reason to think that then, and we don't now.

Q. Then I must say you are more innocent than you appear to me.

A. I thought I was giving evidence.

MR. JOLLIFFE: I don't think the Chairman wants to hear the evidence. He is interrupting too much.

BY THE CHAIRMAN: Q. Mr. Brewin, I want to ask you this: from the various angles to this thing, let us be perfectly—

MR. JOLLIFFE: Is this a question?

BY THE CHAIRMAN: Q. Just wait. I want to ask Mr. Brewin this. Mr. Brewin, there can be certain motives in this thing. First there is this, that some misguided person took Mr. Porter's majority of 2,700—which is a reasonably large plurality—and expanded it to 4,500; there can also be the motive that somebody set out to discredit a man who had been duly elected by the people. Aren't there those two inferences there?

MR. JOLLIFFE: How about the third theory, Mr. Chairman?

BY THE CHAIRMAN: Q. Just a minute. You can ask him all the theory you like—

A. You are asking me to argue the matter, rather than give my opinion, but if you want my opinion, the second suggestion is a preposterous one.

Q. You mean you people wouldn't do such a thing?

A. Not only wouldn't we do it, it would be absolutely ridiculous to try to do it. And I can add another thing to that—there was not a jot or tittle of evidence anywhere so far as I can read, see or know, nothing that suggests such a thing could have happened.

Q. Let me ask you the other side: is it not preposterous that anybody with a 2,700 majority would want to increase it to 4,500?

A. I think so. But I do not think that is the situation here.

Q. Let me ask you—

A. You have asked me for an opinion, and I think I am entitled to give it to you. My opinion is—from what I have seen of the evidence so far—that, on the night of the election, somebody did not think Mr. Porter was going to win; and somebody—I do not know who it was—seeing the returns coming in from the south end, where Mr. Frier was winning, said—in what I think was described somewhere as “excessive zeal”: “We had better change the certificates quickly and make sure Mr. Frier does not win.”

That is what I think happened.

Q. In a thing like that you think. But don't you think perhaps you might have thought, at the same time, if such a condition existed, that this thing went deeper than that and that the ballots themselves were “tinkered” with?

A. No, we had no suggestion anything was wrong with them. We trusted the Deputy Returning Officers—who, as a matter of fact, turned out to be perfectly honest. We didn't think there was anything dishonest or wrong about the actions of the Deputy Returning Officers, and it turned out we were right. The dishonesty—if there was dishonesty—occurred in the neighborhood of the Returning Officer. I won't say he is responsible for it. That is not my business. But it was in his office, as was clear to us from the beginning, that the changes and the fraudulent actions were made, so that we were not interested in impugning or attacking in any way what the Deputy Returning Officers had done.

Q. Mr. Brewin, you afterwards represented Mr. Frier in an application to court. You have given us the reason that you did not make an application to court in June or thereabouts, but you did make an application to court in the latter part of December, with the result that certain proceedings were taken about the 1st of January, 1949.

A. Let me explain that too. The situation, as I say, was that in the end of October I went to Mr. Lewis, as the Chief Electoral Officer, put the facts before him and suggested it was up to him, or the law officers of the Crown if he wanted to refer it to them, to proceed to investigate this matter and then to take whatever steps by way of prosecution or otherwise they thought were justified. Mr. Lewis wrote me a letter—I think I have it here—on the 9th of November, in which he said he had discussed the matter with the Clerk of the Crown in Chancery and said there was no procedure by which we could examine the election papers, and so on.

Q. Well, you quite well knew that at that time a new House had been elected, the Speaker was not in office, and there were technical difficulties at that point; that the earliest the matter could come up was before a Committee of the House.

A. I am trying to set out the facts; I was trying to explain to you we put the matter in the hands of the Electoral Officer and at that time I said to him: This is not a matter for political considerations. I assure the party in office, Mr. Porter, will be just as interested as we are in getting to the bottom of this, and seeing that proper prosecutions are laid if necessary."

Q. Mr. Brewin—

A. I thought they would do that.

Q. You talk of "political considerations", do you know some of the members of your party in this House,—some sitting here—said this was going to be "a big whitewash" and the facts would be kept outside?

A. Well—

Q. Was that what you wanted?

A. Not in the least. I thought myself—

Q. It seems to me the wish was the father of that thought.



A. I think their reason for saying that is what has transpired since. I am telling you what happened at the time. We put it in the hands of the Chief Electoral Officer and were up against a stone wall because we were told we couldn't inspect the documents and no action was apparently proposed—

Q. Yes,—

A. May I finish?

MR. JOLLIFFE: Let us have the evidence.

BY THE CHAIRMAN: Q. Go ahead.

A. That being the case, I studied The Election Act and came to the conclusion that we were entitled to inspect these documents, notwithstanding what you have referred to as "technical difficulties". So we were told there were no regulations which permitted us to inspect the documents.

Q. And we found ways and means of doing it.

MR. JOLLIFFE: Just a moment.

THE WITNESS: Just a moment.

BY THE CHAIRMAN: Q. Yes?

A. I then, on Mr. Frier's instructions, launched a motion in the Court to compel the production of the documents in accordance with what I thought The Election Act provided for. The day after I had done that, or a day or so after I had done that, I was informed that the regulations had been found and that we would be allowed to inspect the documents, which we subsequently did.

Q. Yes, and subsequently when a Committee was appointed by the House to inquire into this matter, certain of your supporters said there was going to be "a whitewash".

MR. JOLLIFFE: What has that got to do with this?

THE CHAIRMAN: Got a good deal to do with it.

THE WITNESS: I don't know whether that will be so or not. I hope—

BY THE CHAIRMAN: Q. Mr. Brewin, is it not true you hoped, by keeping this thing "under the bed" for all these months, you would haul it into the light and would cast doubt on the election of a very able member of this House and you would mar his political life by doing such a thing?

MR. GRUMMETT: Is that getting to the root of the trouble?

BY THE CHAIRMAN: Yes, it is.

MR. DENNISON: Let me put in a word on the question of "whitewash".

No member of this Party suggested it was going to be a whitewash, we suggested we did not want it to be a whitewash, and endeavoured to prevent an amendment in the House which would have broadened the scope of this inquiry and we did that to prevent it from being a "whitewash", and your party voted against our amendment.

BY THE CHAIRMAN: What you did was this, Mr. Dennison. You wanted it to appear—after having this evidence in your possession for months, you wanted—

MR. JOLLIFFE: What evidence?

THE CHAIRMAN: The evidence of these irregularities. You wanted to appear as the protectors of the public interest.

MR. JOLLIFFE: The evidence was here under your hand.

THE CHAIRMAN: Let me ask this—may I ask a question—

THE WITNESS: I haven't had a chance to answer it, yet, and I want to answer it. I want to make it perfectly clear to you I have never suggested Mr. Porter was involved in this.

MR. CHAIRMAN: Oh, no?

THE WITNESS: That I put the thing to the proper officer concerned, the Chief Electoral Officer. I told him Mr. Porter was, I thought, elected, and didn't have anything to do with it, and I assumed the Government would be just as interested as we were to get to the bottom of it, and your innuendo or suggestion we are trying to discredit Mr. Porter is quite without foundation.

BY THE CHAIRMAN: Q. I just want to pursue that, Mr. Brewin. You said now it was the farthest thing from your mind that you wanted to implicate Mr. Porter in this and you want to make it appear that he had nothing to do with it, isn't that right?

A. Well, of course he had this to do with it, that he was the candidate.

Q. Yes, he was the candidate, but, nevertheless, you wanted to do all these things and yet make it appear he was someone apart.

A. I think he would like to make it clear himself. I never suggested to the contrary.

Q. All right, let me ask you this: you are, again, a barrister and solicitor of some nineteen years' standing in the Province.

A. I think I said that three or four times.

Q. I want to make sure there is no escape from that.

MR. NIXON: You have forgotten the "K.C." part.

BY THE CHAIRMAN: Q. Yes, I have forgotten the "K.C." part. I had better be careful, perhaps our people appointed him, you see. However, Mr. Brewin, let me say this, you in the latter part of December, or the month of January, launched a motion in the Supreme Court of Ontario which you say was designed to bring out all of the facts but not to impugn Mr. Porter.

MR. JOLLIFFE: No, he didn't say that at all.

THE CHAIRMAN: Yes, he did.

MR. JOLLIFFE: No, he said he launched a motion to compel production of certain documents.

THE CHAIRMAN: But he didn't want to hurt Mr. Porter.

MR. JOLLIFFE: What he said was—

THE CHAIRMAN: Again,—

MR. JOLLIFFE: You are not going to misquote the witness before this Committee. What he said was, he launched a motion to compel production of certain documents, which documents were under the control of your government and we had not been able to get production of.

BY THE CHAIRMAN: Q. Then let me say this, Mr. Brewin, you had intimate knowledge of this Riding; you have run in it twice, you are a candidate again, you were the official agent for Mr. Frier, and you were also Mr. Frier's solicitor; that is the situation?

A. All correct so far.

Q. Mr. Porter, you knew, was the candidate, and Mr. McLean was his official agent. All these things were known to you.

A. Mr. McCabe was the Returning Officer.

Q. Yes, but Mr. Clark McLean, K.C., was—

A. To tell the truth, I don't know whether I knew that or not.

Q. I see. Well, you prepared an affidavit, and I would like you to read paragraph three to me. Would you? You prepared that affidavit?

A. Yes. (Reads) "In the presence of myself and the said returning officer, D. A. McCabe, one Michael O'Connor, official agent for Dana Porter, one of the candidates in the said election opened up the ballot boxes"—

Q. Mr.—

A. Do you want me to read it?

Q. Yes.

A. "handed these certificates of the deputy returning officer to the said D. A. McCabe, who read what purported to be the figures on the said certificates, and I took a careful note of the votes read out by the said D. A. McCabe for the candidates in each subdivision."

Q. Let me see the first part of that, please; you prepared that affidavit.

A. Yes.

Q. I see it was sworn on the 3rd of January, 1949, by Frank Frier, before J. R. Robinson, and you prepared the affidavit.

A. Correct.

Q. Now, I would just like to read out the first word. You said: "In the presence of myself and the said returning officer, D. A. McCabe, one Michael O'Connor, official agent for Dana Porter, one of the candidates—"; you heard that?

A. Yes.

Q. Now, I suggest to you, you well knew at the time you prepared that affidavit that Michael O'Connor was not official agent for Dana Porter.

A. I didn't know anything of the sort. Mr. Frier told me that he was.

Q. Then you were extremely careless with the truth, Mr. Brewin.

A. Not careless at all. Mr. Frier told me that Mr. O'Connor was there representing Mr. Porter at the official poll.

Q. Now—

A. Just let me finish, please.

Q. All right.

A. That he had—Mr. O'Connor—had been around saying that he represented Mr. Porter, that he was around the returning officer frequently; in fact, I think his words to me were that whenever he went up there to see the returning officer for some information or something, Mr. O'Connor was hanging around.

Q. Who said this?

A. Mr. Frier told me that and that he was his official agent.

BY THE CHAIRMAN: Q. You say Mr. Frier misled you?

A. He did not mislead me. That was his opinion.

BY MR. PRYDE: Q. Do you expect us to believe that you did not know who the official agent of Mr. Porter was?

A. No.

MR. PRYDE: Well, we have all been in elections.

BY THE CHAIRMAN: Q. You know what an official agent is?

A. Yes.

Q. If I asked you who was the official agent, who would you say?

A. I would look it up, but I understood Mr. MacLean.

Q. Who was the official agent for Mr. Frier?

A. I could tell you myself, that I was. I would not be surprised if you asked Mr. McLean who Mr. Frier's official agent was, if he knew; he probably would not know it.

Q. You are not a babe in the woods; you know that "official agent" by law means a certain thing?

A. Yes, I know that. I know what an official agent is.

Q. You know there is only one official agent?

A. Yes.

Q. Yet you prepared an affidavit for Mr. Frier in which you said that Michael O'Connor was the official agent for Dana Porter?

A. I prepared the affidavit on the instructions of Mr. Frier, and I thought then, from what he told me, that Mr. O'Connor was his official agent. I did not question him on it; I did not have any doubt about it. I do not know about Mr. MacLean.

Q. You had been around that riding for a long time, and you acted as official agent for Frier; do you want us to believe you did not know that Mr. MacLean was the official agent for Mr. Porter?

A. I do want you to believe it. I do not remember ever having seen Mr. MacLean; I do not think I heard of him; I did not know anything about Mr. MacLean being involved in any way.

MR. JOLLIFFE: Mr. Chairman, you have been around Victoria for a long time. Who was the official agent of your opponent in the last election?

MR. GRUMMETT: You are doing a lot of unlawful cross-examination. We have sat here listening to you carrying on the investigation in your own way, and we will not stand it any longer.

THE CHAIRMAN: This was a matter for the Supreme Court of Ontario, and you, as a solicitor, prepared this affidavit, and now, Mr. Brewin, let us turn

back to your statement that under no circumstances did you want to impugn Mr. Porter in this matter?

MR. WISMER: I think the Chairman is trying to get ahead of another member for the leadership.

THE WITNESS: Yes.

BY THE CHAIRMAN: Q. I suggest to you you did what you did in an effort to impugn Mr. Porter?

A. You can suggest what you like, but that suggestion is untrue and unfounded. I gave no thought to it at all. When he told me O'Connor was the official agent, I put it in the affidavit—

Q. Well, Mr. Brewin,—

A. Let me finish. If I am to be a witness, surely I can finish my answers. I assumed what he said was correct. I put that in.

I will tell you another fact which may interest you. When I first drew that paragraph on Mr. Frier's instructions, I put in that Mr. McCabe had opened the ballot boxes in the presence of Mr. Frier. I had read The Election Act, and I assumed that was what he had done. Mr. Frier pointed out that statement in the affidavit was not correct, and that it was Mr. O'Connor who opened the ballot boxes, so I changed that paragraph.

As far as imputing anything to Mr. Porter, I did not then, nor have I since.

MR. DENNISON: I think to be fair with the witness, Mr. Chairman, you should say that three previous witnesses have stated that at no time did they ever see Mr. MacLean in Mr. McCabe's office; that they were not clear who was the official agent.

THE CHAIRMAN: That is not relevant to what I am talking about.

THE WITNESS: It is relevant for me to say that I never saw Mr. MacLean; I did not know he was the official agent; as a matter of fact, I did not know it until these proceedings came along.

It is perfectly true I might have read some proclamation and saw it, but I did not do that, and I did not run into Mr. MacLean, and I did not hear anything about Mr. MacLean, but I did about Mr. O'Connor.

BY THE CHAIRMAN: Q. You were preparing this application to the court, and upon the strength of this affidavit, you want the court to do certain things. Do you not think if you did not know the name of the official agent—if you were not sure—before you asked your client to take an affidavit, and to take the solemn oath prescribed in our courts in a matter of this kind, you should have checked up and made sure who the official agent was?

A. As I have told you several times, Mr. Frier assumed, very reasonably,

that Mr. O'Connor was his official agent, and told me that he was. I gave no further thought to it, beyond that at all, and I suggest—

Q. I suggest that in proceeding with this matter you hoped Mr. O'Connor was the official agent, and you would be able to discover some wrongdoing on his part and would be able to impugn Mr. Porter?

A. That is not so.

MR. DENNISON: Are you suggesting Mr. O'Connor is guilty of this?

THE CHAIRMAN: No. But I suggest to this witness, by his whole action, thought he was going to find something wrong which O'Connor had done, and was going to be able to impugn Mr. Porter.

MR. JOLLIFFE: Mr. Chairman, I want to make a suggestion to you. I think this Committee will get on better with its work if you should cease and desist from acting as if you are counsel for the defence. I do not know what you have to defend. You are not charged with anything and none of your colleagues have been, so I do not understand why you should go on putting up such a forceful advocacy for an unknown defendant. Why not act as Chairman of the Committee, and let us get the facts.

BY THE CHAIRMAN: Q. You were the solicitor for the C.C.F. in the Gestapo proceedings?

A. No.

Q. It is really amazing how closely the pattern follows—

MR. JOLLIFFE: If you are going to follow that up, I want Mr. O'Connor recalled, to ask him some further questions.

THE CHAIRMAN: You can ask him anything you like.

MR. JOLLIFFE: I do not want any misunderstanding about this. We will ask him about the investigation in which he appeared as a witness regarding the liquor licences in the Niagara Peninsula. You would not permit it before.

THE CHAIRMAN: Mr. Brewin has had great experience as a counsel—

THE WITNESS: Quite a bit.

THE CHAIRMAN: He knows, as President of the C.C.F. Party, and from his experience as a barrister and solicitor, under the oath he took, that he has a duty to perform to the people of the Province, and I suggest to him that his whole object has been political in this matter, with the idea in his mind of the Federal election in St. Paul's riding.

MR. JOLLIFFE: May I suggest, Mr. Chairman, that I believe your motive in these proceedings is to obscure the facts, and that motive will not lead anywhere. I accept your assurance that you want to get to the bottom of this thing.

THE CHAIRMAN: I certainly do, and so do all the members of the Committee.

MR. JOLLIFFE: If you are going to start imputing motives, then we will tell the public what your motives are.

THE CHAIRMAN: I am quite prepared to answer to the public for my motives, but when you talk about getting to the bottom of this thing, and obscuring the facts, that you and your Party are deliberately trying to obscure these things yourselves, and proceeded until you get a witness here like Mrs. Armstrong—

MR. JOLLIFFE: I will tell you the Returning Officer did not make his return on Form 40, and never sent in any of the documents he was supposed to send in, until some time in October, and repeatedly, from July until October, we made enquiries as to whether it had come in, and as soon as we learned that it had come in, Mr. Brewin and I interviewed Major Lewis, and gave Major Lewis, through his office, an opportunity to take action. You took no action whatever. And then after we had given you every opportunity to take action, Mr. Brewin instituted proceedings in the Supreme Court to force the production of the documents for inspection. We did that, to make you understand who was responsible for the delay in this matter.

THE CHAIRMAN: Mr. Jolliffe, let me say this. There has been filed by Mr. McCabe, and sworn to, with the Clerk of the Crown in Chancery, an affidavit, Form 41, taken by the Returning Officer after transmitting his returns to the Clerk of the Crown in Chancery, and he says, on the 18th of June:

"5. I this day transmitted to the Clerk of the Crown in Chancery all my returns in respect to the election."

And in that, he declares Mr. Porter to be elected, and I presume that at that time he gave the total vote, but he does not give the total on Form 40.

I say to you, Mr. Jolliffe, that you could have taken these proceedings quite well in the month of June, and could have heard this whole thing in the atmosphere of the courts, where people have—

MR. JOLLIFFE: Which would mean destroying them.

MR. DENNISON: Mr. Chairman, you know perfectly well in most constituencies, the Returning Officer gives each person who runs in an election a photostatic copy of Form 40—

THE CHAIRMAN: I never saw a photostat in any election I was in, in my life.

MR. DENNISON: Then you have not a good Returning Officer.

THE CHAIRMAN: A photostatic copy?

MR. DENNISON: Yes.



THE CHAIRMAN: We do not have things like that in Victoria.

MR. DENNISON: I have been in a number of elections, and we have had proper Returning Officers, and they gave that to the people who ran in the election within a month or two after the election. Now this Returning Officer in this particular riding has proven, in many instances, to be very inefficient. Mr. Frier on many occasions asked him for the return and did not get it. If you had appointed an efficient Returning Officer in this riding, this thing would not have happened.

THE CHAIRMAN: That is what you think.

MR. JOLLIFFE: Since you asked me a question, I want to add that not only did I ask myself, but I instructed my secretary to keep in touch with Major Lewis to find out when the Form 40 came in, and when Mr. Brewin failed, he wrote a letter to Mr. McCabe, which can be produced, toward the end of July, asking him for a copy of the Form 40, which he had not received.

AN HON. MEMBER: Does he have to give that to you?

MR. JOLLIFFE: Yes. You are accusing us because your own Returning Officer failed to do the things required.

THE CHAIRMAN: Mr. Jolliffe, would you like to ask Mr. Brewin any questions?

MR. JOLLIFFE: Perhaps some of the other members might.

THE CHAIRMAN: If not—

THE WITNESS: Instead of asking questions, you have made political insinuations.

THE CHAIRMAN: It hurts me to think you would play politics.

MR. JOLLIFFE: When did that Form 40 come into Queen's Park? This is a return of the election (indicating); I am talking about Form 40. It was not until October?

MR. WISMER: I do not think they dare give you that information.

THE CHAIRMAN (to Major Lewis): Did the Returning Officer file that with you?

MAJOR LEWIS: He did not file anything with me.

THE CHAIRMAN: I mean with the Clerk of the Crown in Chancery? Does he give the total vote?

MR. HARVEY: Yes. I might add, Mr. Chairman, if I may be permitted, that I had compiled before the end of June a complete resume of all the votes polled in the Province of Ontario.

THE WITNESS: The total votes?

MR. HARVEY: Yes.

MR. JOLLIFFE: That does not answer my question. When did Form 40 come in?

MR. HARVEY: It must have come in around that date, because I had all the data in my possession, to compile these figures.

BY THE CHAIRMAN: Q. Mr. Brewin, let me ask you this; you stated in the affidavit you prepared for Mr. Frier that the total of number of votes reported by the "said McCabe" were as follows:

Frier.....	7,343
MacVicar.....	4,859
Porter.....	11,215

Those were the total votes which were reported. Those total votes were taken at the official count, at which Mr. Frier was present, and then they were reported to the Clerk of the Crown in Chancery. It is true that the total of these votes does not come in until Form 40 is received.

Mr. Brewin, you knew that the total of those votes for Mr. Porter was about 1,400 or 1,500 more than they should have been, did you not?

A. Quite so.

Q. Did you not think, by any chance, you should have taken action under The Election Act, or under The Controverted Election Act, to bring this matter before the courts of the land?

A. Absolutely not. And I have tried to explain to you, but you seem to wilfully refuse to understand—

Q. I am not doing anything "wilfully".

THE WITNESS: —wilfully refuse to understand it or to accept it. I tried to explain to you that the fraud, if any, (indicating) consisted dealing with the individual returns, in the subdivisions, the individual results, and it was not until these things were filed with the Clerk of the Crown in Chancery that the evidence would be available, and it was not until I had a chance to inspect them that we were prepared to take any steps in respect to them.

Q. Mr. Brewin, the judge found in the recount conducted for this Committee that Mr. Porter's vote was 10,161—the judge found that. In your affidavit you knew or could have known last June—in fact, you did know, because Mr. Frier was at the official count, and it was the official count which was reported to the Department here—that Mr. Porter was reported as having received 11,215 votes. If there was any fraud, is not the real fraud in increasing that vote up a little over 11,000?

A. No, the real fraud consisted, from my knowledge of the evidence, in falsifying these certificates, and then destroying them.

Q. Let me ask you this: you say "falsifying and then destroying"?

A. Yes.

Q. Let me ask you this: was not the time to take action, if that suspicion was in your mind, to go immediately before one of the judges and ask him to impound all of the documents and proceedings, in relation to this riding, at once, before anybody could destroy them?

A. No. I knew it was the duty of the Returning Officer to send these documents to the Electoral Officer, and it was my intention then, and has been throughout, until we were obstructed, to have the Electoral officials of the province investigate this, and deal with it themselves. I was not going to take the responsibility myself; I was going to refer it to the proper officials to do so.

Q. The real fraud in this thing was reporting 11,215 votes instead of 10,161?

A. No, but the way in which it was done; changing the certificates, and then later destruction of the certificates.

Q. So it gets down to this: you say you were fearful of destruction, yet you gave the people you were afraid would destroy these things months and months to destroy them?

A. Not at all.

MR. DENNISON: May I read section 145 of The Election Act, dealing with the return of Form 40:

"(1) The Returning Officer shall immediately after the sixth day after the final edition by him of the number of votes given for each candidate, unless before that time he receives notice that he is required to attend before a judge for the purpose of a recount or final addition of the votes given at the election, and where there has been a recount or final edition, immediately after the receipt of the certificate of the result, transmit his return (Form 40) to the Clerk of the Crown in Chancery that the candidate having the largest number of votes has been duly elected, and shall forward to each of the candidates a duplicate or copy thereof."

THE CHAIRMAN: That is Form 40?

MR. DENNISON: Yes. If you had appointed in this case a Returning Officer who abided by The Election Act, Mr. Frier and Mr. Brewin would have had access to Form 40 within a matter of two or three weeks after the election, and I suggest the whole reason for this delay is not, as you are trying to say now, the fault of Mr. Brewin or Mr. Frier; it is the fault of the inefficient and stupid Returning Officer you appointed in this riding.

MR. OLIVER: Mr. Chairman, I want to say a word or two at this point.

We are arguing all morning as to whether Mr. Brewin, acting on behalf of the C.C.F. candidate, should have done certain things at certain times. I do not know if we argue all day that we will come to a reasonable conclusion on that particular point. What we are concerned about—as members of this group—is not so much when it should have been filed, or why it was not filed, but it is to get to the bottom of this thing, and try to find out how it came back, and how a certain set of figures got involved to the extent of about 1,400 votes, and then to ascertain the calibre of the man responsible for this condition. But if we proceed with attacks on each other, this morning, we will never find out. I think we should try to find out from this witness how it came about that these discrepancies were there. It does not materially matter, I suggest to you, Mr. Chairman, at this time, whether my friend failed to take the course he could have taken in June. This Committee is an investigating committee in the Legislature, properly constituted, to hear all the facts, and it is our duty at this time, it seems to me, to get down to the root of this thing and try to find out how these things were done.

THE CHAIRMAN: I think, Mr. Oliver, that is a very sensible suggestion.

AN HON. MEMBER: It is too bad you did not think of it yourself.

THE CHAIRMAN: May I suggest this: on the night of the official count, there were present the Returning Officer whom we have heard, and there was Mr. Frier representing himself, and Mr. O'Connor representing the public, and apparently this matter arose between the three of them.

MR. WISMER: What do you mean?

THE CHAIRMAN: It rests apparently between Frier, O'Connor and McCabe. The question is who to interrogate.

May I say that Mr. Brewin is here as the official agent for Mr. Frier, who was one of the three people who could have done this.

MR. JOLLIFFE: Now, Mr. Chairman, you have just made a perfectly preposterous suggestion—

THE CHAIRMAN: Oh, I could never satisfy you.

MR. JOLLIFFE: You keep on talking as though something could have happened on the day of the official count. Let me direct your attention to the night of the election, and we know now that the press received figures on the night of the election which did not correspond with the figures found by Judge Gordon, and which do not correspond with the figures reported by the D.R.O.'s, but which do correspond quite closely with the figures in Mr. McCabe's Form 40. That narrows the story down to the night of the election. On the night of the election, certain people were in and round the Returning Officer's office, and Mr. Frier was not one of them. Let us not waste time about that. Mr. Frier was not one of them.

MR. DENNISON: You have me frightened. If you keep it going, the first thing you will be accusing Mr. Stewart and myself with interfering with these figures at the Judge's recount.

THE CHAIRMAN: No. Apparently Mr. O'Connor used to sit in very closely with you, in your elections.

MR. DENNISON: Oh, this was away back, years ago.

THE CHAIRMAN: I point this out, Mr. Jolliffe, that you have appointed in that riding certain Deputy Returning Officers—

MR. JOLLIFFE: What does the evidence show?

THE CHAIRMAN: It shows there was a change. Who did it?

MR. JOLLIFFE: That is a most improper statement to make, because Judge Gordon's report showed that the D.R.O.'s did their job correctly. There were but very few polls in which there was a change of more than one or two. I protest against that kind of accusation against the D.R.O.s, without a tittle of evidence to support it, and I submit it is most unfair.

THE CHAIRMAN: Did Mr. Lawford send in any incorrect returns to the Returning Officer?

MR. DENNISON: We will have him up this morning.

THE CHAIRMAN: I imagine he will say he knows nothing about it.

MR. JOLLIFFE: Do not assume too much.

THE CHAIRMAN: Are there any further questions you wish to ask the witness?

BY MR. JOLLIFFE: Q. Mr. Brewin, I believe some time in January you attended, on the inspection of the documents following the proceedings you had instituted in the Supreme Court?

A. That is right.

Q. Was that on the 17th of January?

A. It may have been. I forget the exact date.

Q. I think Mr. Harvey's report shows it was the 17th of January?

A. I have the report here (indicating)—no, I guess that does not show it.

Q. Who was present on that occasion?

A. Mr. Frier was there, and I was there, not Major Lewis, but Mr. Bulmer was there, and Mr. Harvey and Mr. McCabe was there, and Mr. MacVicar was there.

Q. The Liberal candidate?

A. Yes.

Q. Will you just tell the Committee—

BY THE CHAIRMAN: Q. That was the day upon which Mr. Harvey was given a list, together with the poll books, and prepared this report (indicating) of which each of you gentlemen have a copy.

MR. JOLLIFFE: This was the one we had been seeking since October?

A. That is correct.

Q. And it followed immediately after the proceedings in the Supreme Court?

A. That is right.

BY THE CHAIRMAN: Q. Will you tell the Committee just how that matter was handled at that session? What procedure was followed?

A. The whole procedure which was followed was that we, first of all, had Form 40 identified, and Mr. McCabe said it was his signature on it.

Then we got our certificates—and what I mean by “our certificates” is the candidates’ certificates delivered to Mr. Frier—and we checked our certificates against Form 40, and picked out the subdivisions where there were discrepancies.

Then we checked the poll books which have certificates in the back of them, to see what they showed, and they corresponded in every case, as I recall it, with our own certificates, but not with the figures shown in Form 40.

Then we inspected all of the certificates which were in the boxes. We brought them out, and those certificates in the boxes again corresponded, I think in every case, with our own certificates.

Then we found out there were a very large number—in fact, most of the certificates in regard to the subdivisions where there were discrepancies, were not there, and we made a thorough search to see where these certificates were, and there was no sign of them. We asked Mr. McCabe if he knew where the certificates were. I had previously said to him if he did not want to answer any of our questions he did not need to, but he said he was willing to do that. We asked him where these certificates were, and he said he had used them as scrap paper or destroyed them, or something of that sort.

Then I said to him: “It does not look any too good, as far as you are concerned; have you any explanation to make; you do not have to make any explanation, but if you want to make one, we will be glad to hear if, if you have any explanation,” and he said he had no explanation to make at all, and could not account for what had happened.

That is my recollection of what transpired.

Q. Was it the certificate on Form 35 you were looking for?

A. Yes, that is right.

Q. I believe there were 130 polls in the riding?

A. That is right.

Q. Were most of the Form 35 certificates found?

A. No, I would not say that. I do not think more than perhaps one-half of them. I do not know that we counted them, but there were certainly not more than one-half of them there.

Q. With regard to the 25 subdivisions in which there were discrepancies, were any of the certificates on Form 35 found—in connection with those 25?

A. Well, I want to make this clear, some of the discrepancies in Form 40 consisted of transposing figures. In other words, the total vote for Mr. Porter was put down on Form 40 under "Mr. Frier" and the total vote Mr. Frier got was put down under Mr. Porter. There were at least four or five cases where that happened. It was perhaps just a coincidence in each case that the transposition assisted Mr. Porter's figures. It was when he got the small figure and Mr. Frier the higher figure that the returns were transposed.

Now, in regard to those subdivisions where the figures were transposed, the certificates were there. We found some of the certificates where each showed that the figures had been transposed, but with regard to the subdivision where the figure has apparently been changed, a "1" added, a "3" changed to "8" and that sort of thing, in regard to those certificates, I don't think—there may have been one or two cases in which the certificates were there, but in almost every case, the certificates were missing—of the other 25 where there were the discrepancies

BY THE CHAIRMAN: Q. Mr. Brewin, to get down to Mr. Oliver's very pertinent question: you have spent a considerable amount of time in this matter; have you any knowledge of your own that would lead or would give—or any direct evidence of your own as to who made these changes? That is the point the Committee has been enquiring, and I might say we are most anxious to find that out if we can.

A. No, I cannot tell you that. All I can tell you is that the documents that apparently were changed were in the custody and possession of the Returning Officer, Mr. McCabe and—

Q. Let me ask this—

A. I should think—

Q. Let me ask this—

A. Shall I just finish what I was going to say on that?

Q. All right.

A. What I was going to say on that was I find it hard to understand, in the absence of any explanation, how anybody could make those changes without Mr. McCabe's knowledge. Now, that is—

Q. Let me ask this—

A. They were all in his possession.

Q. The things that have concerned us was this, that certain forms, either 35 or 36, but it is the individual report of the polls which came in, these individual reports of the polls came in, these individual reports of the polls came in and the evidence is this, that Mr. McCabe, the Returning Officer, read off those returns out loud and the press took them down and telephoned them in.

MR. JOLLIFFE: O'Connor said he "hollered" them out.

BY THE CHAIRMAN: Q. Yes, he "hollered them out", called them out. He was standing at the door of a room and the boxes were presented to him and certain papers were presented to him, and these papers were handed to him, see, and he called out, he read the report out, and the pressman apparently got that and reported that and as a result of that, we have this United Press, or British United report, or Canadian Press report. But what amazes the Committee is this, Houdini has been dead for many years and we have wondered how that could happen. I have seen slight-of-hand tricks and so have you, and that report comes in, McCabe reads it out, and we have wondered this, we have investigated, we have asked whether the changes took place out in the hall and we have no evidence of that; we haven't any evidence as to how they took place. I would say this to you, that apparently Mr. Frier and Mr. McCabe and Mr. O'Connor, with some of their helpers, were there at the time of the official count and Mr. Frier sat there and he tabulated and apparently had a hand in the matter, and he is not able to throw any light on it. Mr. O'Connor says he doesn't know, Mr. McCabe says he doesn't know how it occurred—

MR. WISMER: Mr. O'Connor said he was not even interested.

THE CHAIRMAN: Q. Is there anything you could tell us that might throw some light on it?

A. All I can say is that I think it is apparent, even from the evidence I heard to-day from the press, that the certificates were changed—

Q. But when?

A. Sometime after the Deputy Returning Officer turned them in and before they were given to the press. I suggest to you a mere stroke of a pen would put a "1" in front, a thing which would take just—you do not have to be a Houdini to do that. To change "3" to "8" is another very simple operation which would not take more than a moment, and that must have taken place after the Deputy Returning Officer brought these things in—their boxes in—and before the figures were given to the press.

Q. There's the difficulty, Mr. Brewin. There is one of the things which bothers me about this thing. One might come to the assumption, or might believe such a thing as that happened, but the evidence that we have before the Committee is this, and it strikes me very clearly from what Mr. McDougall says here this morning; apparently the boxes and the forms were handed in at the



wicket—if I might put it that way—to McCabe, who read them back to the press and apparently if something happened, it happened before that time?

A. Yes, quite so.

Q. Well, where could that change take place?

A. The change must have taken place right in Mr. McCabe's office at that time, and he says he can give no explanation, but I am afraid I do not find it—

MR. GRUMMETT: Mr. Chairman, is it not significant that none of those certificates which may have been raised are before us, or were turned in? They have all disappeared

THE CHAIRMAN: That's right. That's the reason—

MR. GRUMMETT: Someone did it.

MR. DENNISON: Mr. Chairman, we have a Mr. Rae of the Evening Telegraph here to-day, who was in the office that night.

THE CHAIRMAN: We will hear Mr. Rae, then.

MR. DENNISON: He is the person to ask that question.

THE CHAIRMAN: I can assure hon. members of this Committee we are most anxious to find out that very point

A MEMBER: Let us hear Mr. Rae.

MR. JOLLIFFE: Suppose Mr. Brewin stands down?

THE WITNESS: I would like to say before I stand down, I think if you are trying to look at this fairly—and we hope you are—you will recognize that, as far as we were concerned, we put this matter before the Electoral Officer and suggested to him that he take the appropriate action, and that a good deal of your examination, Mr. Chairman, seems to have been directed to suggesting we did something improper for political motives. I suggest to you the actual facts are quite inconsistent with that, and if the Electoral Officer, and if the law officers of the Crown, of your government, had proceeded with the matter and taken it out of our hands, produced the documents for us, it would not have been within our purview to say anything about it at all.

THE CHAIRMAN: Mr. Brewin, the great quarrel I have with you and your Party and the way you carried this on was this, that you did not place this matter before the courts as you might have done, and much of the mystery which surrounds this thing would have been cleared up.

MR. JOLLIFFE: No, there would have been some papers missing.

THE WITNESS: Let me say one thing in answer to what you say there. It was definitely my conclusion, and I think it was a reasonable one if you give

consideration to it, but definitely my conclusion that the falsity, if any, was in connection with the certificates. Maybe I was wrong, but I thought the proper thing to do was to have all the certificates turned in to the Electoral Officer, have him look into the matter and deal with the thing on that basis; and I think your suggestion we should have gone off at "half-cock", before we knew the facts, when all we had was Mr. Frier's statement which you, no doubt, or some people at any rate, would have attacked and impugned and said he was prejudiced, all we had was his statement at the time of the count.

BY THE CHAIRMAN: Q. You had the total vote in specific subdivisions?

A. We had our own reference to the specific subdivisions.

Q. True, you did not have the whole thing, but you had—

A. I wanted to have all the facts before we gave publicity or jumped to conclusions, and I think you, as a barrister and solicitor of a good many years' standing, will recognize it is not a proper thing to launch a prosecution or to jump into proceedings in court until you have had an opportunity to ascertain the facts fully. That is the view we took. We tried to get the facts and it took us a considerable time to get the facts. That is the situation.

Q. Mr. Brewin, I want to say this to you, you have given your view which you have put on your level, but I want to say this, that for years past we have listened from your party and your supporters, some of them right here—

MR. JOLLIFFE: Are we going to have that speech again?

THE WITNESS: Let us hear it.

THE CHAIRMAN: Just a minute. Your party and your supporters, as to the iniquities of the old parties. I say this to you, that you people learn pretty fast and learn a lot quicker than some of the rest of us have.

MR. JOLLIFFE: Learn what?

THE CHAIRMAN: How to do the things you accuse the old parties of.

MR. JOLLIFFE: At least we have learned not to conduct our cases so as to lose them.

THE CHAIRMAN: I hope you have learned something.

THE WITNESS: I hope we have learned enough to appoint the sort of electoral officers who will not pull off what happened in this case.

THE CHAIRMAN: I'd say half or one-third were your appointees in your own riding.

THE WITNESS: Not a suggestion they did do anything wrong.

THE CHAIRMAN: Oh, everybody but your people did everything wrong.

SOME MEMBERS: Next witness, next witness.

The witness retired.

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MR. GRUMMETT: The Judge's report covers Deputy Returning Officers and shows they were honest in their returns.

THE CHAIRMAN: Oh yes, you people are the most honest people in the world.

MR. GRUMMETT: I am talking of the Deputy Returning Officers.

THE CHAIRMAN: You wouldn't impugn anybody, wouldn't do anything—you just do it all the time, but in a nice way, and sometimes not so nice.

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BRUCE RAE, sworn, examined.

BY THE CHAIRMAN: Q. Mr. Rae, you are a reporter on the staff of the Evening Telegram?

A. No, I am not, sir. I am employed in the pay office of the Telegram.

A MEMBER: Speak up.

BY THE CHAIRMAN: Q. You were the one who was present in the Returning Officer's room on the night of the 7th of June?

A. Yes.

Q. Any other reporter with you?

A. No, there was not.

Q. Just yourself?

A. Yes, sir.

Q. Would you describe as to how you got the election returns that night, as best you can, Mr. Rae?

A. Well, as the ballot boxes came in, Mr. McCabe handed me—

Q. Could you speak louder, please?

A. I am sorry. As the ballot boxes came in, Mr. McCabe handed the press returns to Mrs. McCabe, I believe, and she in turn handed them to me. I tabulated them on the adding machine.

Q. Did you see anybody make any changes in any return, or anything of the sort?

A. No, not at all. I cannot say I did.

Q. I beg your pardon?

A. No, I didn't see it.

Q. Anything that would create any suspicions on your part that any of the returns or forms were being "doctored" in any way?

A. No.

Q. Who was present on that particular occasion, Mr. Rae?

A. Mr. and Mrs. McCabe and four other people, I believe.

Q. The four others, as I have them here, were Mrs. Livingston, the clerk—or would you know these people? Ever see them before?

A. No, I had never seen them before.

Q. There was Mr. and Mrs. McCabe and then two young men, Farrell and Durant; do you recall them, Farrell and Durant?

A. I don't remember the names.

Q. Or Mrs. Armstrong or Mrs. Livingston?

A. Mrs. Livingston I remember.

Q. She was the clerk for Mr.—

A. Yes.

Q. Do you recollect the procedure when the boxes came in, relative to sealing the box and so on; do you remember the procedure? What took place?

A. No, I don't remember. I was busy tabulating.

MR. JOLLIFFE: Perhaps I could assist, will you permit me?

BY THE CHAIRMAN: Q. Well, let me ask this, when the boxes came in, have you any recollection—the evidence here is this, that there was a table drawn across the door—

MR. JOLLIFFE: No, Mr. Chairman, let the witness describe the room.

BY THE CHAIRMAN: Q. Yes, you describe the set-up of the room.

A. There was a table in front of the doorway and as different people came in, they handed the boxes to Mr. McCabe. I believe there was another gentleman standing there too.

MR. JOLLIFFE: We cannot hear you, Mr. Rae.

THE WITNESS: The boxes were taken into a room in the back—

MR. JOLLIFFE: The witness made an answer there which could not be heard.

THE CHAIRMAN: He said they were taken to a room in the back.

MR. JOLLIFFE: Maybe the Reporter heard it.

BY THE CHAIRMAN: Q. Let us be patient. What happened? Translate yourself back to the night of the 7th of June; perhaps you could just describe the room—where did you sit in relation to the door?

A. I sat on the far side of the room.

BY MR. JOLLIFFE: Q. Mr. Rae, please. All the members of this Committee, you see, must hear what you say.

THE WITNESS: I sat on the far side of the room—

BY THE CHAIRMAN: Q. On the far side of the room?

A. Yes.

Q. Where was the telephone?

A. The telephone was right beside me.

Q. Any more telephones in the room?

A. Yes, there was one more.

Q. One more in the room? Who had the adding machine?

A. I did.

Q. Just describe what happened when a box came, or somebody presented a box at the door—what happened?

A. The box was given to Mr. McCabe and the press returns were handed to Mrs. McCabe and then were handed to me.

BY MR. JOLLIFFE: Q. Who handed them to you?

A. Mrs. McCabe.

Q. Mrs. McCabe?

A. I believe she was 'phoning the results in.

Q. Could you speak a little louder. What do you believe Mrs. McCabe was doing that day?

A. Mrs. McCabe was 'phoning the results in to Mr. Porter as they came in.

Q. On the other phone?

A. Yes, sir.

Q. Nice to get that service from the Returning Officer.

THE CHAIRMAN: Well, it can always be arranged, you know. Tell me this—

MR. GRUMMETT: Lots of things can be arranged.

BY THE CHAIRMAN: Q. That's the usual procedure. The box was presented at the door; do I gather there was a paper then that was outside the box that was handed—the press return, is that what you referred to?

A. I don't know exactly, sir, because I wasn't watching.

Q. What happened to the box? What did the Returning Officer do with the box? Did you see what happened there?

A. The box was given to one of the other gentlemen that were there and he put it in the back of the room. I think there is a little ante-room off the larger room.

BY MR. JOLLIFFE: Q. Mr. Rae, you say that when Mr. McCabe received the box, and a return, he would hand the return to Mrs. McCabe and when she got through with it, she would hand it to you; is that right?

A. That's right.

Q. And that is how you got your figures?

A. Yes.

Q. What figures you got and added on the adding machine were written down?

A. Yes.

Q. You didn't rely on what anybody said out loud?

A. Oh, no.

Q. Did you hear Mr. McCabe at any time say what the figures were?

A. No, I did not.

Q. You relied entirely on the written figures?

A. Yes.

Q. And you didn't hear Mr. McCabe read them out at any time during the evening?

A. No.

Q. Or did you hear anybody else read them out at any time during the evening?

A. No, I didn't.

Q. Then I suppose as they came along to you, every now and then you would telephone them in?

A. Yes.

Q. Where did you telephone them?

A. The telephone room of The Evening Telegram.

Q. And you say in the room there was the Returning Officer, Mr. McCabe, and his wife?

A. Yes.

Q. And Mrs. Livingston, you knew?

A. Yes.

Q. And then was there another woman you did not know?

A. There was. I don't remember her name.

Q. And a couple of men who took the boxes to the other room?

A. Yes.

Q. When they were received. And did you notice anybody else in the room?

A. No, I don't think there was anyone else.

Q. Did you notice any of the people in the hall outside the room?

A. No.

MR. CALDER: Q. How long were you in the room, Mr. Rae?

A. From seven to a quarter to eleven.

Q. Did you leave it at any time?

A. No.

Q. What interval of time passed between the time Mrs. McCabe got the forms on her desk and they were handed over to you?

A. It was just a matter of a few minutes.

BY MR. JOLLIFFE: Q. Minutes? Would she 'phone it in before she handed it over to you?

A. As I remember, she had a map on the wall with the different wards marked on it, and she seemed to be checking the returns as they came in. I don't know exactly what she was doing.

BY MR. DOUCETT: Q. Checking or recording, which?

MR. GRUMMETT: "Checking", he said.

BY MR. OLIVER: Q. Would Mrs. McCabe hand you the returns individually or in bunches of four or five?

A. Bunches of four or five.

BY THE CHAIRMAN: Q. At that point, how far was Mrs. McCabe sitting from you?

A. Well, she was sitting practically next to me.

Q. Did you see her write on any of these forms, or alter them or change them or anything of the sort?

A. No, I cannot say I did, sir.

BY MR. DENNISON: Q. Mr. Rae, would you know Mr. Michael O'Connor?

A. No, I don't think so.

Q. A short, red-faced man.

A. No.

Q. With gray hair and glasses?

A. No.

Q. There was a man at the door who was sort of letting the Deputy-Returning Officers open—

THE CHAIRMAN: Wait a minute, don't ask him that.

BY MR. DENNISON: Q. Was there a man at the door?

THE CHAIRMAN: That's right.

BY MR. DENNISON: —who was letting the Deputy Returning Officers by, and handing the boxes to Mr. McCabe?

THE CHAIRMAN: That is a pretty leading question, but go ahead.

A MEMBER: It is only the Chairman who can ask leading questions.

THE WITNESS: I don't remember seeing anyone standing there.



BY MR. DENNISON: Q. You said you remembered one person at the door who seemed to be assisting—

MR. DOUCETT: He didn't.

MR. JOLLIFFE: No, he didn't say that.

MR. DENNISON: I am sorry, I thought you did.

BY MR. JOLLIFFE: Q. Could you see into the hall at all from where you sat?

A. Oh, yes.

Q. Could you see the outside, or street door?

A. No.

BY MR. DENNISON: Q. Did you also telephone these returns into the Canadian Press?

A. No, I didn't.

Q. How would Canadian Press get the returns? From your office?

A. Yes.

Q. From The Telegram office. The returns in The Canadian Press were, in The Canadian Press were: MacVicar 4,907, Porter 11,826, Frier 7,284.

MR. JOLLIFFE: That is the final.

BY MR. DENNISON: Q. Those were the final Canadian Press figures. They would be approximately the figures or totals you would have?

A. Yes, I would think so.

Q. Now on Form 40, the figures are very, very close to that. Form 40 had MacVicar 4,904—a difference of only three; Frier 7,010, a difference of 275; and Porter 11,774—a difference of approximately 50. Now, the night you were there, this map which was on the wall, could you describe the map to us? Did it have the subdivisions of that riding or the whole city?

A. I am not just sure.

Q. But it seemed to be marked out in subdivisions, did it?

A. Yes.

Q. And Mrs. McCabe was checking each form as she received it, with this?

A. Yes.

Q. And after she had checked a number of them, she passed them on to you?

A. Yes, sir.

Q. Did anyone else 'phone out on the other 'phone that you remember, beside yourself?

A. I don't think so, no.

Q. Did anyone from the hall step over the table during the night, to use the telephone?

A. No, they didn't.

Q. As far as you know, no one from the hall got into the room?

A. No.

Q. Do you remember if Mr. McCabe swore in any of the Deputy Returning Officers that night?

A. I don't remember, sir. I don't think he did.

Q. Did you see any of the boxes opened to get any of these forms out of them?

A. No.

Q. Do you remember anything about the boxes themselves at all, as to whether they were locked or not, or sealed or not.

A. I think most of them were locked.

Q. And do you believe that in the interval—or was there an interval—that your eyes would be off these forms between the time Mr. McCabe received them and the time they were finally handed to you in bunches of three or four.

A. (No audible reply.)

Q. Would your back be turned to the person handling them at any time?

A. No, I was facing them all the time.

Q. You were facing them all the time; now, in running this adding machine, you have to keep your attention on the machine, your eyes on the machine, do you?

A. Yes.

Q. And you have the form beside you and you keep your finger on the number, and you run the machine this way (indicating); so, would you say 50 per cent of the time your eyes would be on the machine?

A. Yes, about that.

MR. JOLLIFFE: Q. Mr. Rae, you started this job, I suppose, around seven o'clock, is that right?

A. I arrive there at seven o'clock. It was a quarter to eight before we started.

Q. Do you mean the first returns started coming in about a quarter to eight?

A. Yes, that's right.

Q. And from that point on, you added the returns progressively, did you?

A. Yes.

Q. Can you tell us, during the first half hour that the returns were coming in, do you recall who was leading?

A. No, I don't remember.

Q. You don't remember how it went during the first half hour?

MR. EDWARDS: The Canadian Press despatch showed that.

MR. JOLLIFFE: Yes, it does, you are quite right.

BY MR. DENNISON: Q. Mr. Rae, what did you do with the forms after you made your tabulations—with the sheets you had? Did you give them back to Mr. McCabe?

A. No, I didn't.

Q. Just throw them away, did you?

A. I took them back to the office and kept them for about a month, I think, then I destroyed them.

Q. There were two forms. Do you remember anything about the form Mr. McCabe had?

A. No, I don't.

Q. You don't remember where—do you remember if Mrs. McCabe had both forms in her possession at the time she gave you one?

A. I don't think she did, sir.

BY MR. NIXON: Q. There was a form for every box, was there—a similar form?

A. Yes, sir.

BY MR. DENNISON: Q. You don't remember them having to examine any box, or open any box, to get a form that way?

A. No.

BY MR. JOLLIFFE: Q. Did you at any time give your figures up to date to the other people in the room? Did you talk to them at all?

A. Yes, they asked me various times during the evening.

Q. They asked you at various times during the evening what the results were?

A. Yes.

Q. And did you hear them discussing it? Did you hear any talk about it?

A. No.

BY MR. OLIVER: Q. Did you stay there, Mr. Rae, until the election was complete and all the returns were in?

A. Yes, I did.

THE CHAIRMAN: Any further questions to ask Mr. Rae?

BY MR. CALDER: Q. Mr. Rae, were these returns 'phoned in to Mr. Porter 'phoned by poll or groups?

A. I don't recall, sir.

BY MR. DENNISON: Q. You are sure they were 'phoned before you received them?

A. Yes, sir.

BY MR. WISMER: Q. You were the last person to get them?

A. That's right.

THE CHAIRMAN: Anything else from this witness, gentlemen? Thank you, then.

The witness retired.

THE CHAIRMAN: Who is the next witness?

MR. JOLLIFFE: Mr. Chairman, my partner, Mr. Osler, is here and there is one point upon which he can give evidence, and he would like to get away.

THE CHAIRMAN: Alright, we will hear Mr. Osler.

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JOHN H. OSLER, a witness being called and duly sworn, testified as follows:

BY THE CHAIRMAN: Q. Alright, Mr. Osler, what can you tell us? Where do you come into this picture? You are the partner of Mr. Jolliffe?

A. I am a partner of Mr. Jolliffe, and am also, and was at the time, President of the St. Paul's Association.

Q. Were you a candidate?

A. I was a candidate in St. Patrick's, which is one-half St. Paul's responsibility; in other words, the Federal organization takes in the two ridings, and we simply split them.

Q. You are the law partner of the leader of the Opposition (Mr. Jolliffe)?

A. I was and I am.

Q. Alright, will you go ahead and tell us what you have to say.

A. My only evidence, Mr. Chairman, relates to the issue you raised as to the undue delay.

I would like to say this: that in the case I am now describing, Mr. Jolliffe was not at the time informed. I did not consult him nor anybody else. I was simply doing part of the job which had been left in Mr. Brewin's hands. Mr. Brewin at that time was in England at a hearing before the Privy Council.

Q. Are you people all in one firm?

A. No. Mr. Brewin was Mr. Frier's solicitor for the purpose of this investigation. He was in England arguing a Privy Council case, and no official returns had been received by Mr. Frier up to the point about which I am going to talk.

It was suggested that the Returning Officer should be "prodded", shall we say, and we should make every attempt to get an official return.

Q. Let me ask you this, Mr. Osler; Mr. Brewin's firm is that of Cameron, Walton and Brewin?

A. Yes, I think that is correct.

Q. And Mr. Brewin was in England?

A. Yes.

Q. About what date did he leave?

A. My guess would be about the middle of July, but I may be quite wrong.

Q. At that time you came into this picture?

A. Yes.

Q. What is the name of your law firm?

A. Jolliffe and Osler. May I say, it used to be Jolliffe, Carson and Osler, and for some time we were using up some old letterheads, and this letter I am about to refer to may have been written on one of those old letterheads.

Q. It was Jolliffe and who?

A. Jolliffe, Carson and Osler. Mr. Carson is no longer with us, and was not at this time.

Q. What is the date of this letter?

A. July 28th.

Q. At that time, Mr. Osler, you were familiar, of course, with the background of this case, having taken it over from Mr. Brewin. You knew the background?

A. Only to this extent; it is not true to say I "took over from Mr. Brewin." I had no discussion with him before he left, nor had I any personal interest in the case. I knew it was going on, as President of the Riding Association.

Q. In any event, you knew sufficiently about the case to know there were irregularities?

A. I knew there were some irregularities.

Q. You have been a candidate in St. Paul's Riding?

A. That is right.

Q. And I gather in this matter, purely as a legal matter, you never discussed the political implications with your partner, who is also the leader of your Party?

A. Up to this time I do not believe I did, other than perhaps I mentioned that I knew about these irregularities and that there seemed to be a good deal behind it, and we were going to try to get to the bottom of it.

Q. Mr. Jolliffe was acquainted with the fact that there was something wrong?

A. He thought there was something wrong.

Q. And to whom was this letter written?

A. May I approach it this way? I believe it was Mr. Frier, Mr. Chairman, who called me and said that Mr. Brewin was away, and he was a little worried that nothing concrete had happened so far, and did I think it advisable to make some effort to get the official return. I told him I did.

I then telephoned Mr. McCabe, a gentleman whom I did not know, whom I had never met, and to whom I had never spoken—

By MR. DENNISON: Q. What date was that telephone call?

A. The 28th of July. I telephoned a number in the directory, and I asked for Mr. McCabe and a man answered and said he was Mr. McCabe, and I presumed he was.

I suggested I was acting as Mr. Frier's solicitor, and that he, Mr. Frier, had not received a copy of Form 40, and I asked Mr. McCabe if he intended in the near future to let him have such a copy.

Mr. McCabe said something to the effect that he did not believe it was part of his duty to give a candidate a copy of Form 40, but it would be filed in due course with the proper authorities.

Q. I have been a candidate myself a number of times, and I cannot recollect receiving a Form 40?

A. I have been a candidate three times, and I got one from them every time.

MR. JOLLIFFE: I got mine. I had a good Returning Officer.

THE WITNESS: Being a solicitor, as you know, if you do not get a satisfactory answer you follow it up with a letter, to put it on the record. I did. I wrote to Mr. McCabe on the firm's letterhead in the usual style of a solicitor; in other words, I referred to "we" and so on.

Q. When you say "we", you did not refer to Mr. Jolliffe and yourself? You were simply talking about yourself?

A. I referred to the firm, and I signed with the firm's name, "Jolliffe and Osler", was the way I signed it. I dictated a letter which read as follows, dated July 28th, 1946:

"Mr. D. A. McCabe,  
"167 Fern Avenue,  
"Toronto 3.

"Re: St. George Election

"Dear Sir:

"Mr. Frank Frier who was one of the candidates in the recent election in the Riding of St. George has asked us to bring to your attention the requirements of The Election Act relating to furnishing the candidates with a copy of your official return to the Clerk of the Crown in Chancery.

"In a telephone conversation to-day you informed us that you do not believe it was necessary to provide the candidates with such a return."

I will have to apologize for the grammar, which is not very good in that sentence.

"If you will be good enough to consult the Act itself and, particularly, section 145, you will see that it is part of your duty to do so.

"So that there may be no further misunderstanding, we quote the relevant portion of the Act:"

Then I set out section 145, subsection 1:

"145.—(1) The returning officer shall immediately after the sixth day after the final addition by him of the number of votes given for each candidate, unless before that time he receives notice that he is

required to attend before a judge for the purpose of a recount or final addition of the votes given at the election, and where there has been a recount or final addition, immediately after the receipt of the certificate of the result, transmit his return (Form 40) to the Clerk of the Crown in Chancery that the candidate having the largest number of votes has been duly elected, and shall forward to each of the candidates a duplicate or copy thereof.'

"We should also draw to your attention section 147 which provides for proceedings in the Supreme Court to compel the performance of any duty which a Returning Officer is shown to have omitted.

"It is quite true that Mr. Frier took down for himself an informal copy of the official count for each subdivision at the time such count was made. However, this is entirely unofficial and it is because this count is greatly at variance with the written returns furnished him on election night in many cases, that Mr. Frier is anxious to obtain the official return to which he is entitled without further delay.

"Please let us hear from you.

"Yours truly."

and then marked in the lower left-hand corner is "copy to Major A. C. Lewis, Chief Electoral Officer, Queen's Park, Toronto."

MR. DENNISON: What was the date of that?

A. July 28th.

MR. DENNISON: That answers your question, Mr. Chairman.

BY THE CHAIRMAN: Q. Let me ask you this, Mr. Osler. I would like to go back a moment; did you ask, at that time, the Clerk of the Crown in Chancery for a copy of Form 40?

A. Anything I could tell you about that would be hearsay.

Q. There is no use giving hearsay evidence. After all, it would appear—

A. When I wrote that, it was quite obvious my information was that no such form had been filed.

Q. We have the affidavit here, which indicates it was filed—

MR. JOLLIFFE: No, no.

THE WITNESS: As I heard that evidence, the totals had been received, but there is no affidavit swearing to any Form 40.

MR. JOLLIFFE: They are two different things.

THE CHAIRMAN: Oh, I see the point.



BY THE CHAIRMAN: Q. You say the Returning Officer had made a return to the clerk, in June—I suppose a few days after the official count—that the vote for Mr. Porter was 11,215, and for MacVicar, the figure which has been mentioned 4,859, and for Mr. Frier 7,343. That was on hand, and you knew that was filed with the Clerk of the Crown in Chancery, with these total figures?

A. As a matter of fact, I did not know it at that particular time. It would have made no difference in my attitude, if I had.

Q. Let me refer you to this (indicating); in section 130 of The Election Act, in the "recount" provision, if you will notice there, section 130, subsection 2 (d). Now, Mr. Osler, you seem to be a reasonable sort of person. Section 130 provides this:

"(2) If within four days after that on which the Returning Officer has made addition of the votes for the purpose of declaring any candidate elected, upon the application of a candidate or a voter, it is made to appear by affidavit to the judge of the county court of the county in which the electoral district or any part of it is situate that a Deputy Returning Officer has, in counting the votes"—

and the subsection "d":

"That the Returning Officer has improperly added up the votes."

the Returning Officer, in this case, being Mr. McCabe.

Now, Mr. Osler, let me ask you this; knowing that this figure of 11,215, the figure I gave you a moment ago, had been added up by the Returning Officer at the time of the official count, and was in the hands of the Clerk of the Crown in Chancery, with the certificate of the election of Mr. Porter, would it not occur to you that you should hold a recount, and have this matter aired, just the way we are doing it right now, before Judge Macdonnell, or some other judge in the City of Toronto?

A. May I say this? First of all, you must assume I was not acting—

Q. Oh, you were not acting for him at that time?

A. No. I did not know that any objection to the official return had been made. Had I known, I would still not have evidence, on the basis of the knowledge I had then, that a recount was the proper procedure. From any evidence I had seen or heard, or any that Mr. Frier had seen, there was no indication of a difference substantial enough to affect the result.

Q. It was substantial enough to cause grave disquietness. Do you not think if you had been acting as a solicitor for Mr. Frier you would have immediately availed yourself of the provisions of the Act, and had the election documents impounded and brought before a judge in the City of Toronto?

A. No, sir, I do not. The result which followed from the recount you had conducted, and the new totals which have been arrived at, caused me to see nothing to indicate who made the changes, if anybody, nor the manner of how

it was done, or what we can do to rectify it. The recount would have accomplished nothing more than that. There was no concrete evidence upon which prosecution could have been launched.

Q. And if you know the Act, as thoroughly as I think you do—

A. I have learned more about the Act since this inquiry started than I ever knew before.

MR. JOLLIFFE: You were on our Committee in 1944.

THE WITNESS: If it has the effect of bringing in some of the amendments proposed by that Committee, then this will be a very good investigation, Mr. Chairman. There were remedies suggested at that time.

THE CHAIRMAN: There may be a great difference of opinion as to what could have been done. Let us translate it back to June, and take the position we are in now; we are most anxious, all of us, to find out how these changes took place. We want to know that, and are trying to find that out. I point out to you—and you know it as a lawyer—that when you take witnesses who are proximate to the events—such as this gentlemen, Mr. Rae here, a nice young chap from the Telegram—he was there, and he remembers perfectly well what happened at that time, but some of the things may be obliterated by time now.

The point is this: in February, 1949, we have a recount, and the judge finds out certain things, and reports to us. If that recount had been held in June, and the papers impounded while matters were fresh in the minds of those people who could have then remembered many details for us, we would have been able to do a better job than we are doing now.

MR. JOLLIFFE: I think that is nothing but wishful thinking.

THE WITNESS: There seems to be a deliberate misconception. A recount is not an investigation. You are no farther ahead before this Committee with the recount than you were when the thing started.

Q. You should have impounded the papers, and they would all be there, and the judge would step in, and very drastic action might have been taken on the information you could have compiled. From that information you could have gone to anyone of the County judges—

A. There is no more—

Q. I have the highest regard for the judiciary in this country, and I would say that any judge would go to the utmost limit in protecting the public interest in a thing like this.

A. A judge is bound entirely by legislation under which he is working. There is nothing in this Act which gives any judge at any time the power of a general investigation. I think this is a fair question; what do you propose should have been done? Whom should we have prosecuted?

Q. I propose this, that a recount would have been immediately available if the application for a recount had been made under section 130. The facts of this situation are so alarming that if they had been placed before a judge, it would have given the judge power to make the most stringent orders, for impounding the papers, and putting the matter squarely before the courts. As to proceeding after that, that could be indicated by the investigation which would take place. You have provision under The Controverted Election Act, and you have other provisions in The Election Act.

A. You are a lawyer, far senior to me, and I hate to take issue with you on this point, but I do say that under statute or The Election Act, there is nothing which gives a judge a general power of investigation other than the recount, which you now have, and it disclosed nothing.

MR. STEWART: It gave the correct figures.

THE WITNESS: We have two alternatives; we could have a recount. We have had it, and it does not clean it up. We can prosecute somebody. Whom will we prosecute? Your Committee does not know, how would we know? If we prosecute someone and get no results, because we have no evidence, where does that leave us?

BY THE CHAIRMAN: Q. I do not say you should have prosecuted anybody—

A. What should we have done?

Q. It was your duty, as people in the "High Command" of the Party—

A. It was our duty to get the facts.

Q. You gentlemen know your way around, you are—

A. I know my way around, I think.

Q. Exactly. You also have sat in with Mr. Brewin, the President of your Party. The only thing which should have concerned you was the protection of the public, and I say this is not a political question on the part of any Party—

MR. JOLLIFFE: Mr. Chairman, I may say this to you—

THE CHAIRMAN: I want to read you a little lecture in ethics.

THE WITNESS: I am willing to learn—

MR. JOLLIFFE: I think the Provincial Legislature is supreme, and I do not understand your reluctance. I know it is characteristic of your Party at times, but I do not understand your reluctance to let matters of this kind to come to the Legislature.

THE CHAIRMAN: We have allowed it to come. The first day, before the Lieutenant-Governor got out of the Chamber, we asked for an investigation, and then we asked for a recount, and you all voted against the recount.

THE WITNESS: We knew it would accomplish nothing.

MR. JOLLIFFE: It was your proposal.

THE CHAIRMAN: I have not a suspicious mind, I hope, but it leads me to think that you people are more anxious to throw dust and smoke in the way of an investigation.

THE WITNESS: Listening to what you have said, I wish you would allow me to make this statement. You say I "know my way around". Whether that is a compliment or not, I am not just sure, but I do know my way around to this extent, that I do a great deal of work in criminal law, and in allied matters, and I know that until you have concrete evidence, it is futile to act in any way on suspicion.

There is no way in which this matter could have been fully aired at that stage, on the evidence which was available. It was up to us to get the facts, and lay them before the proper people, and then it was for them to decide whether there was sufficient—

AN HON. MEMBER: You should have had the facts on the 28th of July.

THE CHAIRMAN: I suggest to you you should have had a recount and impounded the documents at once.

THE WITNESS: They had been destroyed, in all likelihood, long before that.

BY THE CHAIRMAN: Q. This took place on the 11th of June. You people knew about it on the 14th. I would say, if I had been acting, I would have acted very fast.

MR. WISMER: You just pick up a statement and try to build it into something, which is impossible. Nobody knew anything that was useful on the 14th of June, and you know it. All you have been trying to do is to stick words in the mouths of the witnesses, for the last two days.

MR. CATHCART: I am convinced there was one man who was responsible, from the evidence now, and that man was Michael O'Connor, I thought. As the hearing progressed to a point, I was almost convinced Mr. O'Connor was the guilty man.

MR. GRUMMETT: You do not know Mr. O'Connor.

THE WITNESS: I do not know Mr. O'Connor either.

BY THE CHAIRMAN: Q. You see what you people have succeeded in doing is this; you have succeeded in getting yourselves all tangled up in this thing, and now we are trying to take you apart and trying to find out who is to blame.

A. I think you pay us a great compliment, if you say we could have done something at an early date, which this Committee has great difficulty in doing now.

BY MR. NIXON: Q. You got no reply to that letter?

A. No. I went on holidays four days later, and to the best of my knowledge no reply was received at that time, and as far as I know Mr. Frier did not receive one.

BY MR. DENNISON: Q. Has Mr. Frier received a copy of Form 40 yet?

A. I have no knowledge of that.

MR. JOLLIFFE: May I say, Mr. Chairman, that I had no knowledge of this letter (indicating).

THE WITNESS: I think Mr. Jolliffe was on his vacation at that time.

THE CHAIRMAN: You gentlemen are the most innocent I have ever run across. Are there any further questions to ask this witness? If not, he may be excused.

The witness retired.

THE CHAIRMAN: Have you any other people in the pool of witnesses we can hear to-day?

MR. JOLLIFFE: I believe Mr. Lawford is here. Before the witness is sworn, Mr. Chairman, I think you said a little while ago something about one-third of the D.R.O.'s being supporters of Mr. Frier. There is no evidence of that at all. The evidence of Mr. McCabe and Mr. Frier was there were a few D.R.O.'s appointed on their recommendations.

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WESLEY LAWFORD, a witness being called and duly sworn, testified as follows:

BY THE CHAIRMAN: Q. You enjoy the distinction of being a supporter of the C.C.F. Party and were appointed as Deputy Returning Officer by the Tories?

A. That is right.

MR. DENNISON: By the Returning Officer, I hope; not by the Party.

THE CHAIRMAN: I do not know whether they were or not. Things seemed to be happening around that time.

MR. NIXON: I am sorry I missed the exchange altogether.

MR. JOLLIFFE: He said the Tories appointed the Returning Officer.

MR. OLIVER: And how!

MR. DENNISON: Anyway, they slipped up there.

BY THE CHAIRMAN: Q. What poll were you in?

A. 12 (b).

Q. Now, Mr. Lawford, the judge has recounted the ballots in your subdivision, and the vote, as shown by the recount, is 43 for Mr. Frier, 15 for Mr. MacVicar, and 12 for Mr. Porter. These are the figures?

A. Yes.

Q. Apparently, Mr. Lawford, the report which was turned in to the Returning Officer was "Frier 43—which was the same; MacVicar 15, which was the same and Porter 44, which is an increase of 32; is that right?

A. The report that was read to us at the meeting later.

Q. When did you get together in the meeting later? When was that?

A. That was a meeting of our executive at which Frank Frier was present.

Q. That would be the meeting on Monday, the 14th of June?

A. Yes.

Q. At the meeting on the 14th of June—at the first occasion, on the 14th of June, you learned there was some irregularity in the report of these totals?

A. That is correct.

Q. On that date?

A. Yes.

Q. Tell us, as Deputy Returning Officer, what did you do as regards notifying the candidates?

A. The usual procedure was we would file our form, and another for the poll book, and make out three copies, a copy for each of the candidates, which I did, and another copy for the Returning Officer, and a copy to put outside the box, and then we would close the box and lock it. I delivered it personally to Mr. Frank Frier, later in the afternoon.

Q. You mean the copy?

A. Yes.

BY MR. JOLLIFFE: Q. Is this (indicating) the one?

A. Yes.

BY THE CHAIRMAN: Q. You delivered the form personally to Mr. Frier in his committee room?

A. Yes, and the following morning I mailed copies to both Mr. Porter and Mr. MacVicar.

Q. You delivered the copy personally to Mr. Frier, but you mailed out those to the other two, Mr. MacVicar and Mr. Porter, the next day?

A. Yes.

Q. Did you take your box up to the Returning Officer's office?

A. I did.

Q. And handed it in with an extra form, I presume?

A. Yes, that's right.

Q. Then who took your box at the door?

A. Mr. McCabe took my box at the door.

Q. Mr. McCabe took your box at the door, and he took also this form; did you notice what he did with the form?

A. Yes, he took the form, looked it over and handed the box back to someone else.

Q. Handed the box to someone else, and then he took the form, and what happened to the form?

A. I don't know what happened to the form.

Q. Did he read off what was on the form?

A. Not aloud, no.

Q. But the form, then, was handed to somebody else, is that it?

A. I don't know who the form was handed to when I left. He still had it when I left.

BY MR. JOLLIFFE: Q. He still had it when you left?

A. Yes.

BY MR. DENNISON: Q. How long were you at the table?

A. Quite a few minutes. There were quite a few people waiting after that.

BY THE CHAIRMAN: Q. With boxes?

A. Yes.

Q. Were you sworn at the table?

A. No, sir.

BY THE CHAIRMAN: Q. Did you hand in your affidavit?

A. Yes.

Q. Were you sworn by your poll clerk—what you did was this; took the oath before the poll clerk and handed in the box and the oath to someone?

A. That was all sealed up in the box.

MR. GRUMMETT: That is the other oath—his oath of his office he is talking about—

THE CHAIRMAN: I thought there was some oath that—

MR. NIXON: Yes, but the box was in your possession—

MR. WISMER: Oath number 38 or 39.

THE SECRETARY: 39.

MR. JOLLIFFE: The oath of the Deputy Returning Officer after closing the polls—Form 39.

BY THE CHAIRMAN: Q. Mr. Lawford, the evidence would lead one at least to believe this, that there was some distortion in the figures from that poll, and some 32 were added onto the votes for one of the candidates; can you throw any light on that?

A. Well, I know definitely it was not my case. That happened after I turned the report in. My three certificates all correspond. That and the copy I gave to the Returning Officer are exactly the same.

Q. Apparently the judge's recount and the documents in your envelope, now deposited in a big box up here, all conform. There is nothing apparently in them, according to the judge's report, which changes the figures I first read to you, you understand? Now, then, seemingly any change in this matter was in connection with this separate form which you handed in to Mr. McCabe?

A. That's right, the changes on that form I handed in was made after I handed it in to Mr. McCabe. Where, I don't know.

Q. I have seen you sitting during these proceedings, I think you have been here every day?

A. No, this is my first morning.

Q. I apologize, I thought I had seen you here before. You heard the evidence this morning, though, and you heard Mr. Rae's evidence, the reporter?

A. I did.



Q. Mr. Rae sits at the table and is facing Mrs. McCabe, and he says he saw you—or, I won't say he saw you particularly, but he says these boxes come in with the form handed to Mr. McCabe, and he doesn't see any changes or anybody doing any altering, and then the form is handed to him and he adds them up on the adding machine with other returns. You say the form was alright when it left you?

A. I certainly do.

Q. You see the mystery we are up against?

BY MR. DENNISON: Q. Did you fill in the press book?

A. I did.

Q. So you handed the two forms—

A. I handed the press form and the one I was shown this morning, or one like it, the papers and the press report and the Form 35, I think it is, to the Returning Officer.

BY MR. JOLLIFFE: Q. Mr. Lawford, was there any conversation between you and Mr. McCabe?

A. There was, yes.

Q. Who opened the conversation?

A. Mr. McCabe. I handed the box in and the forms and turned to leave the table, and he called me back and said: "There's something wrong here." I said: "Yes, what is it?" and he pointed to the sheet and I said: "What's wrong with it?" and I said: "43, 15 and 12." He said: "That's not what I mean. You have them in the wrong order." I said: "No, Frier 43, MacVicar 15, Porter 12." He shrugged his shoulders. I said: "Is that all?" He said: "That's all," and I left.

THE CHAIRMAN: Any further questions the Committee wishes to ask the gentleman.

BY MR. NIXON: Q. Do you remember Mr. O'Connor at the table?

A. No.

Q. In the hallway—you don't know him—he didn't take the box away from you?

A. Mr. McCabe took my box.

BY A MEMBER: Q. Didn't give any figures, did you?

A. No, just challenged the numbers on my sheet.

BY MR. DENNISON: Q. Mr. Lawford, do you remember what happened while you stood in the doorway, to the sheets, after Mr. McCabe took them from you?

A. When I left, my sheet was still in his hand.

Q. Did you see him handing any of the other sheets on to Mrs. McCabe or to anyone else?

A. No, I didn't. There was a number of people collecting behind me at that time. I was one of the first in and they were crowding behind me. I left as soon as possible the table to others.

BY MR. JOLLIFFE: Q. You were one of the first to arrive, were you?

A. Yes.

BY MR. DENNISON: Q. Did Mr. McCabe seem very disturbed about the vote in your poll?

A. Seemed to be. Didn't like the figures.

Q. How far away were you when he called you back?

BY THE CHAIRMAN: Q. What did he say to you? You said something about his calling you back and about your form not being in proper order?

A. He said: "The figures are not correct." I read it to him, I thought it was an irregularity I had overlooked. I said: "What's wrong?" He said: "These figures," and pointed to the sheet. I said: "What's wrong with them, 43, 15 and 12?"—not naming any person. He said: "That's what I mean. The figures are right, but they are in the wrong order." I said: "No, 43 Frier, 15 MacVicar and 12 Dana Porter," and he shrugged his shoulders and said: "Okay."

BY MR. DENNISON: Q. How far away were you when he called you back?

A. I had taken about two steps from the table.

Q. You are sure when you left he had a number of returns in his hand, both the press return, would you say—

A. He had the two I gave him.

THE CHAIRMAN: He didn't say "a number", just two in his hand.

THE WITNESS: Not a number.

BY MR. DENNISON: Q. Had he any other returns in his hand?

A. No, not at that time.

Q. You stayed there while several other Deputy Returning Officers approached the table and gave him boxes, did you?

A. As I came into the hall, there was a couple of other cars stopped across the road, and by the time I had handed my box in and two forms, they had got into the hall, and when he called me back on the argument about the sheet, a number of others came in and by the time I left there was about a dozen in the hall, and I didn't want to hold them up, and I was anxious to get away.

BY THE CHAIRMAN: Q. Mr. Lawford, you did not change the forms?

A. I certainly did not.

THE CHAIRMAN: Gentlemen, we have another man who says he didn't have anything to do with it.

BY MR. JOLLIFFE: Q. Was your poll at 35 Pembroke Street?

A. That's right, 35 Pembroke Street.

Q. About how far from Mr. McCabe's office would that be?

A. Not very far. About a couple of blocks. Two south and two east.

Q. Did you see any Deputy Returning Officers arrive ahead of you?

A. Yes, that's correct.

Q. You did?

A. Yes, met two coming out.

Q. Did you see any line-up when you arrived?

A. No line-up when I arrived.

Q. Was there anybody else standing in the hall when you arrived?

A. I believe there was.

Q. Do you know who it was?

A. I do not.

BY MR. NIXON: Q. Nobody told you to "step lively" and get out of the road.

A. No, nobody asked me to get out of the road at all.

Q. How did you go from the poll to the office—by car or what?

A. I drove up myself.

BY MR. JOLLIFFE: Q. By car?

A. My own car, and it was parked right beside the door, and I had a very small poll, so I imagine I was one of the first.

BY A MEMBER: Q. What time would that be?

A. I imagine fifteen or twenty after seven.

THE CHAIRMAN: Gentlemen, any further questions? Alright, thank you very much, it was very good of you to come indeed.

The witness retired.

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THE CHAIRMAN: Gentlemen, it is twenty minutes to one, and the House meets at 1.30. Mr. Jolliffe, there are here some other Deputy Returning Officers, George Lane, James Abbey and Mrs. Lamb and John Hendricks. Now, I assume this that their evidence would be the same as Mr. Lawford's.

MR. JOLLIFFE: Well, I don't know.

THE CHAIRMAN: Well, after all, we are anxious—I don't want to stop any evidence in any way, if there is anything you think would throw light on this thing. There isn't much to be gained, Mr. Jolliffe, by asking these people to come here and repeat that. I think we in the Committee would probably accept that, but that is what the remaining people would say, that they took their boxes there, handed them, and that is about the story. Do you want them called, or—

MR. DENNISON: Well, I want Mr. James Abbey called. It would not take long.

THE CHAIRMAN: Gentlemen, it is getting late.

MR. DOUCETT: Just a little over three-quarters of an hour until the House opens. I am satisfied to stay if the rest do, but, will we have time for lunch?

MR. DENNISON: It may take only five minutes.

MR. JOLLIFFE: Do you eat lunch?

MR. DOUCETT: Occasionally. Do I not show it?

THE CHAIRMAN: We don't live on pills and things like that, we are warm-blooded people. Nothing synthetic about us.

A MEMBER: Is Mr. Abbey here?

MR. DENNISON: Yes.

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JAMES ABBEY, sworn, and examined:

BY THE CHAIRMAN: Q. Mr. Abbey, you were a Deputy Returning Officer at Poll No. 55A in this election?

A. Yes.

MR. DENNISON: I think it is 51A.

THE WITNESS: No. 55A.

BY THE CHAIRMAN: Q. Your investigations are wrong there, Mr. Denison. Mr. Abbey, we want to get at anything relevant which you can give in this matter. You, I suppose, heard the evidence Mr. Lawford gave; was your experience similar to that?

A. I think so. I might just say when I took my ballot box in, possibly around 7.30 I'd say, there were two or three others ahead of me, and the table was across in front of the doorway, I think it was, and Mr. McCabe sat at the table and Mr. O'Connor stood alongside of him, if I remember right. He opened and shut the door and let me in, that was all. I think that is right. I handed my box in to Mr. McCabe and he took my return and looked at it and passed the box on. I don't remember whether he gave it to someone else or set it down beside him, I just forget that. He handed the official reporter's receipt—reporter's paper—to a lady, I don't know who she was. I didn't know anybody in the room, only I recognized Mr. O'Connor and Mr. McCabe. I know Mr. McCabe. And there were no numbers called out. Nobody done any calling. At the previous election, when I was Deputy Returning Officer, as soon as we handed our papers in, the lady at the desk called them out, so reporters and everybody could hear, but there was none called out at this one, while I was there. Apart from that, I don't just remember how many were in the room. There was a couple of ladies, Mr. McCabe and Mr. O'Connor.

Q. Mr. O'Connor wasn't in the room, was he? He was in the hall?

A. No, he was in the room when I handed my box in.

BY MR. DENNISON: Q. He was in the room where Mr. McCabe was?

A. Yes, that's right, he was in the room where Mr. McCabe was when I handed my box in. I don't know how long he was there. He might have been there five minutes.

Q. Louder, please.

A. He might have been there five minutes, I have no idea of that.

BY THE CHAIRMAN: Q. I thought you said he opened the door for you to come into the hall?

A. If I remember right, there was a door that let you into the room, Mr. McCabe's room. I think that's right.

Q. Was there a table across the door where Mr. McCabe was, do you remember?

A. If I remember—I just ain't too sure about that. A table was across there, but—

Q. Did you go right into the room?

A. Yes, I did.

Q. Walked right into the room?

A. Yes.

Q. Are you sure about that?

A. Yes.

Q. Because, to be fair with you, nobody else said that.

A. Yes.

Q. The whole evidence is here before this Committee that there was a room such as this room and there was a table across the door, and the Deputy Returning Officers came and put their boxes on that table and Mr. McCabe took it there, and that O'Connor was in the hall, opening the door—or, was in the hall in any event—and that the Deputy Returning Officers and public came into this passageway and went out the door again, and didn't go into the room where the officials and the newspaper reporter were.

A. I don't recollect definitely whether the door was open or whether it was closed, but I think from just what I can—

Q. Tell me this, Mr. Abbey,—we are all human beings—is your memory too clear on this?

A. Not on all these things, no.

THE CHAIRMAN: Alright, gentlemen.

THE WITNESS: I am quite clear enough as far as handing in my box and that Mr. O'Connor was there and Mr. McCabe and a couple of other ladies, and that I handed in my report and he took them in, and apart from that I don't know.

BY MR. DENNISON; Q. Mr. Abbey, in your certificate which you gave to the candidates, I understand Mr. Frier had 53, Mr. MacVicar 52 and Mr. Porter 44?

A. I believe that's right.

Q. Now, when Form 40 was filled in, Mr. Frier was the same, Mr. MacVicar the same but Mr. Porter's 44 had been "upped" to 64; was that done by you?

A. No. Absolutely not.

MR. PRYDE: You weren't filling in Form 40—you had nothing to do with it?

BY MR. DENNISON: Q. The certificate you gave Mr. McCabe had 44 for Mr. Porter?

A. I believe that's right. There was about two difference—two or three. Two, I think it was. I haven't got a slip or anything to show, but just from memory I think it was two or three difference, and the difference was between Frier and MacVicar.

Q. That night, the night of the election, when you approached this door, how did you get past the door? Was the table completely blocking the door or just partly blocking it?

A. I didn't go past the table at all. Mr. McCabe was, like, sitting up against there (indicates), and I came up here and handed in my box and, as I say, I don't remember whether the door was open or the table was across the door or whether I had to go in the room through the table. I forgot about that. But I know Mr. McCabe was sitting there. I went up and handed the thing in and Mr. O'Connor was standing right there.

BY MR. JOLLIFFE: Q. When you say "right there", how many feet away?

A. Two or three.

Q. Two or three feet from you?

A. No, from Mr. McCabe. I came alongside here (indicates).

Q. Did Mr. O'Connor look at the returns?

A. No, nobody looked at the returns. Just Mr. McCabe handed them over to the lady, who was taking them, but there were no numbers called out.

THE CHAIRMAN: Thank you very much, Mr. Abbey.

The witness retired.

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THE CHAIRMAN: Gentlemen, what about these other Deputy Returning Officers, do you want them?

MR. DENNISON: Will we have to have another meeting anyway?

MR. JOLLIFFE: Oh, yes.

MR. DENNISON: We will have to have another meeting, it wouldn't take long to call them at the next meeting.

THE CHAIRMAN: The only thing, you have to take them away from their business.

MR. DENNISON: Do these witnesses get paid for this?

THE CHAIRMAN: I don't know whether they do or not. Do they?

THE SECRETARY: Yes.

THE CHAIRMAN: But you know you complained about the amount the witnesses got.

MR. WISMER: We still do.

A MEMBER: You agree with us now.

MR. WISMER: Obviously.

THE CHAIRMAN: I do not like to bring people here unless they can tell us something. Gentlemen, this thing is wide open; are there other witnesses? Don't say I didn't call any witness that could throw any light on this.

MR. JOLLIFFE: Mr. Chairman, I do not wish to call any unnecessary witnesses, but from the evidence this morning, I think the Committee should hear Mrs. McCabe.

THE CHAIRMAN: Alright, would you subpoena Mrs. McCabe, and would it be satisfactory to the Committee if we met on Tuesday morning?

THE SECRETARY: Private Bills Tuesday morning.

MR. F. S. THOMAS: Public Accounts, I think. There are two meetings Tuesday morning, Private Bills and then Public Accounts at 11.

THE SECRETARY: That is right.

MR. JOLLIFFE: I do not think we should conflict with the Public Accounts and Private Bills. What is the matter with Monday morning?

THE CHAIRMAN: Public Accounts, they want to put me in the witness box; that will be your chance.

MR. DENNISON: How about Monday morning, then?

THE CHAIRMAN: If you want to make it Monday morning, it is not too satisfactory, the time, for some gentlemen who have to come back.

MR. THOMAS: Most of us come Sunday night.

THE CHAIRMAN: Then, gentlemen, how about you? If you say Monday morning, Monday morning it is.

MR. JOLLIFFE: Suppose we say—

MR. THOMAS: 7 o'clock. Farmers get up early.

THE CHAIRMAN: Have a heart.



MR. JOLLIFFE: Suppose you compromise at 10.30?

THE CHAIRMAN: Alright, satisfactory, gentlemen? We will have Mrs. McCabe. Do you want to call the Deputy Returning Officers again?

MR. DENNISON: I think we should ask the Deputy Returning Officers.

THE SECRETARY: They are here now, and they have not been told to return Monday morning. Mrs. Lamb and Mr. Hendricks.

THE CHAIRMAN: Mrs. Lamb?

MRS. LAMB: Yes.

THE CHAIRMAN: Why should we drag this poor woman back here? Is there anything you can add to this?

MRS. LAMB: No, I don't think there is, sir. Anything I saw done was done quite orderly and everything was happy. I was happy myself that day. Everyone was happy, and we had a very happy day at the polling booth, and that's all I have to say.

THE CHAIRMAN: You must have been a Tory. Are you?

MRS. LAMB: Yes, I think I am. I am quite proud of it.

THE CHAIRMAN: Do you want to ask Mrs. Lamb any questions?

MR. DENNISON: Oh, yes, I would like to ask Mrs. Lamb two questions. Would you swear her, please?

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MRS. ELIZABETH LAMB, sworn, examined:

BY MR. DENNISON: Q. I understand you were clerk—or Deputy Returning Officer?

A. Deputy Returning Officer.

Q. In Poll 101B, is that right?

A. Yes.

Q. That was, I believe, one of the polls which was changed. Have you got those figures there, Mr. Harvey?

THE SECRETARY: Which figures do you need, Mr. Dennison?

MR. DENNISON: Well, now, apparently it was not one of the ones which was changed. Mrs. Lamb, the question I just want to ask you was, when you gave your ballot box at the Returning Officer's office, who did you give it to?

A. I handed it to Mr. McCabe himself.

Q. You handed it to Mr. McCabe?

A. Yes, and there was the table there and I don't see how anyone could get in, because he stood there and he accepted the box and I had the returns to hand to him, and I had also telephoned him over the telephone before I left the house.

Q. Did he announce the returns when you gave them to him?

A. Well, now, that I am not sure. That I am not sure.

BY MR. JOLLIFFE: Q. This 101B, that was 33 Summerhill?

A. Yes, there was a man, Fennell, there, too.

Q. And you say before you left 33 Summerhill you telephoned the results—

A. Yes, over the telephone.

Q. —to the Returning Officer's office?

A. Well, I don't know who took it,

Q. That is where you called?

A. Yes,

Q. Then, having made your telephone call giving the results, what did you do?

A. I got on a street car.

Q. And came down Yonge Street?

A. No, down Church.

Q. And then to the Returning Officer's office?

A. Yes.

THE CHAIRMAN: Gentlemen, I say this is a lesson to be learned, when you have a Tory Deputy Returning Officer, everything is alright.

MR. JOLLIFFE: No, as a matter of fact, let there be no misunderstanding about it—of course no one is suggesting Mrs. Lamb was responsible, but 101B was one of the polls in which there was a change.

THE CHAIRMAN: Oh, I thought you said a moment ago there was no change.

MR. JOLLIFFE: Well, Mr. Dennison couldn't find it on the list here.

THE CHAIRMAN: Oh, I see.

THE WITNESS: I don't see how that could have been, because everybody was very happy and they all had their returns and it corresponded with everything and I don't see how there could be.

BY MR. DENNISON: Q. According to your figures here—

A. I just forgot about the figures, all I know everything was happy.

Q. Alright, everything was happy.

The witness retired.

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THE CHAIRMAN: Mr. Hendrick, can you give us any information?

A GENTLEMAN; My name is Lane.

THE CHAIRMAN: Oh, are you Mr. Hendrick?

ANOTHER GENTLEMAN: Hendricks.

THE CHAIRMAN: These two gentlemen have been here some time; is there anything these gentlemen can add to this?

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JOHN J. HENDRICKS, sworn and examined:

MR. DENNISON: Mr. Harvey, could you tell us the poll Mr. Hendricks was in?

THE SECRETARY: Mr. Hendricks officiated at Poll No. 1, Ward 2. He was Deputy Returning Officer.

BY MR. DENNISON: Q. Now, Mr. Hendricks, the votes you turned in that night, as I understand it, were 72 for Mr. Frier, 18 for Mr. MacVicar and 21 for Mr. Porter?

A. That's right.

Q. Were those the numbers you gave to the three candidates?

A. I did.

Q. Now, on Form 40, which was filled in by Mr. McCabe, he said that Mr. Frier just had 51, in place of 72, and he said Mr. MacCicar had 18, and which was the same, and he said that Mr. Porter had 72 instead of 21. Have you any explanation how that could have happened?

A. No, I haven't. I just know the figures I turned in and handed to him, I don't know any more that happened afterwards.

BY THE CHAIRMAN: Q. You reported the figures as the count was; you put them on the form to the best of your belief?

A. Exactly.

BY MR. DENNISON: Q. When you handed in the sheet, did he holler them out?

A. No, he may have when I was in the distance, but—

THE CHAIRMAN: Alright.

The witness retired.

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THE CHAIRMAN: Here is an old 20th Battalion man.

THE SECRETARY: A sergeant-major.

GEORGE LANE, sworn and examined:

MR. DENNISON; Mr. Harvey, what poll was Mr. Lane in?

THE SECRETARY; Mr. Lane officiated at Poll No. 10, Ward 2, as Deputy Returning Officer.

BY MR. DENNISON: Q. According to my information, Mr. Lane, on the night of the election, your poll showed Mr. Frier with 101, Mr. MacVicar with 35, and Mr. Porter with 27, is that it?

A. I don't remember that.

Q. You don't remember that?

A. No.

BY THE CHAIRMAN; Q. Let us put it this way, when you made out the forms, did you make them out in conformity with the votes at that poll?

A. I sure did.

Q. To the best of your belief, you did that, and to the best of your ability?

A. I did.

Q. And you took your ballot box and handed it in to the Returning Officer, with the press returns, I presume?

A. I did.

BY MR. DENNISON: Q. When we made a recount under Judge Gordon, we discovered those numbers were substantially the right numbers, but when Mr. McCabe filled in Form 40, the numbers he gave were Mr. Frier still 101, Mr. MacVicar still 35, but he jumped up Mr. Porter from 27 to 127; have you any idea how that could have happened?

A. No, I haven't.

Q. Would you be sure that didn't happen between the poll and Mr. McCabe's office?

A. Never happened between the poll and Mr. McCabe's office, but I didn't have that many voters.

Q. You didn't have that many voters. That would be a "technical difficulty".

THE CHAIRMAN: There are a lot of ingenious people around.

BY MR. DENNISON: Q. Who did you hand your ballot box to?

A. Mr. McCabe.

Q. When you handed him the ballot box and sheet, did he holler out the numbers?

A. No, he just turned around to someone behind him, I couldn't tell whether it was a man or a woman.

BY MR. WISMER: Q. What time would that be?

A. About a quarter to eight.

The witness retired.

Whereupon at 1 p.m. the further proceedings of this Committee were adjourned until Monday, March 21st, at 10.30 o'clock in the forenoon.

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## SIXTH MEETING

Toronto, Monday, March 21st, 1949,  
10.30 o'clock a.m.

The further proceedings of this Committee reconvened pursuant to adjournment.

THE CHAIRMAN: Gentlemen, we will call the roll.

The roll called by the Secretary.

All parties present (excepting Messrs. Calder, Grummett, Murdoch, Oliver and Wismer).

THE CHAIRMAN: Who is the first witness? Mrs. McCabe?

MR. HARVEY: Yes.

THE CHAIRMAN: Is she here?

MR. HARVEY: Yes.

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MRS. MARGARET MCCABE, a witness being called and duly sworn, testified as follows:

BY THE CHAIRMAN: Q. Mrs. McCabe, you are the wife of the Returning Officer in the Electoral District of St. George?

A. That is right.

Q. And your husband was the Returning Officer for the election which was held on the 7th of June last?

A. That is right.

Q. Now, were you present during any of the sittings here?

A. No, I was not.

Q. This is your first venture here?

A. Yes.

MR. JOLLIFFE: Mr. Chairman, if I may interject, the difficulty is the witness is sitting almost with her back to many members of the Committee, and it is very difficult to hear her.

BY THE CHAIRMAN: Q. Mrs. McCabe, perhaps I might go back to the night when the boxes were being brought into the Returning Officer's office, which was on Church Street?

A. Yes.

Q. Could you describe the room, to the best of your recollection? Tell us how the room was laid out, and who was in the room at that time?

A. Well, it was a large room. That is about all I can remember about it. I really cannot tell you who was in the room.

Q. How was the room laid out? We prefer to get your recollection of it,

rather than any of us putting words into your mouth. Can you tell us the form of the room?

A. It was not as large as this. There was a doorway about opposite where I am now.

Q. About where that gate (indicating) is?

A. Probably, about that.

Q. Would the room be much the shape of this one?

A. Yes, I think it would, but I do not really recollect.

Q. Did the public come into that room?

A. No. There was a desk, I believe, at the door.

Q. A desk across the door?

A. Yes.

Q. Which would be sort of a counter?

A. There was somebody sitting at that desk. It was barred off; I remember that.

Q. Where were the rest of the tables in the room?

A. Well, I was sitting answering the telephone and I was away over at a table at the side of the room. I think there was a longer table that way (indicating). I really do not remember an awful lot about it.

Q. Who was close to you? Where was the Telegram reporter who was telephoning the returns?

A. He was sitting at my left.

Q. At your left?

A. Yes. There was a reporter there; I do not know who he was.

Q. Well now, could you tell us what happened when the Deputy Returning Officers brought their boxes to the office—if they did? What happened when each subdivision reported to you?

A. I do not remember. I had nothing to do with it.

Q. Well, can you not go back into the recesses of your memory and try and tell us the best you can all that took place that night and what the organizational set-up was that night?

A. I cannot say for sure, but I think my husband was sitting at the desk at the door. I was sitting there answering the telephones.

Q. What was your job? What did you have to do?

A. I was answering the telephones.

Q. How many telephones were in the room?

A. Two, I believe.

V. What information did you get with which to answer the telephones?

Q. When they rang—any message or any question which was asked, I relayed to somebody who could tell me, and then I would answer back.

Q. Have you any recollection of the Deputy Returning Officers bringing in a form with their boxes, a press report, or a press return, or something of that sort?

A. I know nothing about that, because I was just there to answer the telephones, and I took no notice of anything that was coming in, or anything like that. I had nothing to do with anything that was coming in.

Q. Well, Mrs. McCabe, perhaps I should say this; the evidence appears to indicate that the boxes were brought in by the Deputy Returning Officers, and were presented at the doorway, to your husband, and there were two other men standing there at that time, Mr. Farrell and Mr. Durant, who apparently sealed the boxes when they were brought in. Your husband was there. Your husband was handed a return which was not in the box, a separate return, giving the result of the poll, and then these were handed to you, and handed by you to the press man, and as these returns came in, you got them first of all, and then they were handed over, sometimes more than singly—perhaps there would be a collection of a half a dozen of those—and those were being handed over to the press man, and the press man then reported them to his office. Does that help your memory at all?

A. I called out some numbers when I was not answering the telephone to—I guess you call him a press man. He was using an adding machine.

Q. Where did you read these from?

A. There was some little slips of paper. I really do not know exactly what they were. I think he had them.

Q. Who had them?

A. This press man, as I recall it. I do not remember an awful lot about exactly who handed them to me.

Q. Tell me, Mrs. McCabe, you are a housewife?

A. I go to business.



Q. You go to business?

A. Yes.

Q. And what do you do in business? What is your occupation, outside of being a housewife?

A. I am a bookkeeper.

Q. For whom do you work?

A. I do not think it is necessary for me to come here and answer personal questions, is it?

Q. The only thing is, the Committee might be a little bit interested in your knowledge of election machinery?

A. I know nothing about election machinery.

Q. Let me ask you this: subsequently, were you present at the official count which was held some days later?

A. I was never in the office after that night.

V. Were you in the office before that night?

A. Never.

Q. You were just there on that particular night?

A. On election night. I went in there to answer the telephones. That is what I was asked over to do.

THE CHAIRMAN: Mr. Jolliffe, you may have some questions you would like to ask the witness.

Oh, before you do may I ask this.

BY THE CHAIRMAN: Q. Just in an attempt to clear this up, Mrs. McCabe, on the night of the election—that was the only occasion you were ever there?

A. That was the only occasion I was ever in the office.

Q. Could you tell us who was there in the office that night?

A. No; I am sorry, I do not remember.

BY MR. JOLLIFFE: Q. Mrs. McCabe, you do know and you do recollect that your husband was there?

A. Yes.

Q. And you did recollect there was a newspaper reporter there?

A. Yes. I talked to him, and called out some numbers for him.

Q. And he was at the other telephone?

A. He was at an adding machine, as far as I can remember.

Q. I think you said a little while ago he was by another telephone.

A. There were two telephones there, and I was sitting answering them. He had an adding machine, and he brought it over close to where I was sitting, and asked me if I would call out some numbers for him, which I did, when I was not answering the telephone.

Q. The telephones are right close together?

A. As far as I can remember, they were fairly close together,

Q. Did you hear him making any telephone calls?

A. No, I do not recollect that I did, He may have.

Q. What did he do from time to time when he used this adding machine? Did he not make telephone calls giving the results he obtained on the adding machine? Did you notice that?

A. I did not notice that.

Q. You did not act as a Deputy Returning Officer that day?

A. I did not. I went to business that day, and I was at work all day, and I came up there after I finished my day's work, to answer the telephones.

Q. Where do you work?

A. I think that is rather personal. I do not think my business has anything to do with it.

Q. I know you did not want to answer that question when the Chairman asked it, but I think you should.

A. Do I have to answer that question, Mr. Chairman?

THE CHAIRMAN: Mrs. McCabe, we are not here to inquire into your life, or what you are doing, or anything of that sort, you understand. But I think it maybe would have some bearing, on the question of your ability to understand things which took place in the room that night, and so on.

I may say that my purpose in asking that question was not to embarrass you or embarrass you with your employer.

THE WITNESS; I realize that. I do not think my employment should come into this, or my employer either.

BY THE CHAIRMAN; Q. Let us put it this way: I think we will all agree to keep in confidence at what you are employed, and where. What type of employment do you do?

A. I told you I was a bookkeeper.

Q. You are working for a firm here in the city?

A. Yes, I am.

THE CHAIRMAN: I do not know, Mr. Jolliffe, whether it is very relevant—

MR. JOLLIFFE: I will not press the question about the name of her employer. We can find that out very easily, anyway.

THE WITNESS: I do not think it is necessary.

BY MR. JOLLIFFE: Q. For how many years have you been a bookkeeper?

A. In this one position, almost nine years.

Q. Almost nine years?

A. Yes.

Q. And did you have previous experience as a bookkeeper?

A. Yes.

Q. For how many years?

A. Well, several years before.

Q. And did you go to business college before you became a bookkeeper or take a commercial course?

A. No, I did not.

Q. You just worked into this position, did you?

A. Yes.

Q. And you work with figures and books, all the time?

A. All the time, yes.

Q. Have you ever previously assisted your husband on the occasion of an election?

A. Three years ago.

Q. That was 1945?

A. 1945, yes. It was on the same work I was doing on this night. I did not work with him, I mean, to assist him in any of his election work at all. I was going to business at that time.

Q. And in 1945 he was also a Returning Officer?

A. That is right.

Q. And in that election you were asked to come in and help?

A. The telephones.

Q. Yes?

A. And that is what I did.

Q. You did that in 1945?

A. That is right.

Q. Well, do you remember if in 1945 you helped to look after any of the boxes or documents which came in?

A. I just sat by the telephone.

Q. You just sat by the telephone?

A. Yes.

Q. Well now, coming down to the night of June 7th in the 1948 election; what exactly did you do at the telephones?

A. I just answered them when they rang, and any message or any question which they asked, which I did not know anything about—I did not know anything about any of these messages—I just answered the phone and relayed the question to somebody who was in the room, who could answer it, and I would take the message back to the telephone.

Q. That would be your husband?

A. There were other people there.

Q. Did you give any of those messages to your husband?

A. I do not recollect whether I did or not. I don't think so, directly. I just called out what the message was, and whoever knew the answer told me.

Q. From whom did these calls come?

A. As far as I can remember, I think some of them came from different polling booths.

Q. From the Deputy Returning Officers?

A. I guess that is who it would be. I do not know. They were asking questions about what they should do with this, and what they should do with that.

Q. And did you ask your husband or someone else what the right answer was?

A. Anyone who happened to be right near there, and then I would give the message over the telephone.

Q. When that happened, did you hang up and call them back, or did you leave the receiver off the hook?

A. I left the receiver off and I got the message from whoever could give me the information and I went back and relayed it over the telephone.

Q. Would you say the phone was busy that night?

A. The phone was very busy.

Q. It rang a number of times?

A. It seemed to be ringing quite a lot.

Q. Did you make any calls out yourself, Mrs. McCabe?

A. Yes, I called Mr. Porter's residence at one time.

Q. You called Mr. Porter's residence one time?

A. Yes.

Q. What about?

A. To give him the results. To relay the results of the elections.

Q. What results would you telephone?

A. I couldn't tell you what results they were.

Q. I appreciate that, but did you telephone the cumulative results up to that point?

A. Well, I telephoned what the gentleman who was using the adding machine gave me.

Q. The totals up to that point?

A. I guess they were totals.

Q. Did you give him any of the figures for any of the subdivisions?

A. No—I don't know. I gave him a total whether they would have subdivisions—I suppose there would be subdivisions in there, would there?

Q. Undoubtedly, yes.

A. I don't know anything about elections. All I did was give the numbers I was told to give from this gentleman, the gentleman—

Q. Who told you to give them?

A. —who was reporting—taking them down, adding them up.

Q. Who told you to call Mr. Porter's residence?

A. I don't remember.

Q. It wasn't your own idea?

A. My own idea? Well, no, I wouldn't call him.

Q. When you gave these results over the telephone, did you read them from a piece of paper or just rely on what the newspaperman said out loud.

A. I just took what he called out.

Q. You didn't have a piece of paper?

A. I don't believe I had at that time, no.

Q. You had a desk in front of you?

A. Table.

Q. A table?

A. Yes.

Q. Were there any papers on that table at all?

A. There were these papers that he asked me to call the numbers to him.

Q. The papers from which he asked you to call the numbers?

A. Yes.

Q. Did you not hand any of those papers to the newspaper man?

A. Did I?

Q. Yes.

A. I don't remember that I handed him any.

Q. Was there another lady with you at the same table?

A. No.

Q. There wasn't? You were the only person at that table?

A. There were several people around, but I don't think anyone was sitting at the table with me.

Q. Was the newspaperman sitting at a different table?

A. He was sitting at an adding machine—whether it was on a table or not, I don't remember.

Q. Well, it would be on something, wouldn't it?

A. Well, it might have been on a stand. I don't know.

Q. These papers you say he sometimes asked you to read from, did they look something like what I am showing you (producing), which is a thing called "Form 36"? Did it resemble that?

A. No,—I thought it was a small paper.

Q. When you say "a small paper", how big?

A. It looked to me like a little memo pad, that's what I recall. I really didn't take an awful lot of notice of it.

Q. Would it be more than the size of this pad (producing)? I am showing you a plain, white pad, I would think about 8 x 5, probably.

A. Well, I'm sorry, but I don't remember what the size of the paper was.

Q. Could it have been a size about this, this Form 36?

A. I don't remember.

BY THE CHAIRMAN: Q. Mrs. McCabe, was it a plain piece of paper or was there printing on it—a form that had been filled in, or was it just—

A. Mr. Chairman, I don't remember. There was definitely some printing, I imagine, on it. There were figures on it. What it was, I really wouldn't know. I couldn't definitely identify it now.

BY MR. JOLLIFFE: Q. Is it your recollection there was some printing on it?

A. All I remember was that there were figures on it.

Q. Yes.

A. So there must have been some printing on it.

Q. You think there must have been some printing on it?

A. Well, I don't know. There were figures on it, and I called them out to the gentleman.

Q. Would there be three figures in each case, do you remember that?

A. I don't remember.

BY MR. DENNISON: Q. Do you remember what you did after you handed them to him, or after you called them out?

A. No, I just called out the figures and he put them in the adding machine, and I don't remember whether he took them or what happened.

BY MR. JOLLIFFE: Q. Mrs. McCabe, did you make any other calls out? You told me about the call you made to Mr. Porter's residence; did you make any others outside?

A. I don't remember.

Q. Do you remember placing a call to Mr. Porter's committee room?

A. No, I don't remember.

Q. You don't remember that? Do you not remember placing any telephone call to anybody other than Mr. Porter?

A. Well, I may have. I was on the telephone, and I called any number I was given to call.

Q. Who would ask you to make calls?

A. I don't remember who asked me to make that call.

Q. You don't remember whether it was your husband or some other person?

A. I don't remember. There were several people in the room whom I had never seen before or whom I had never seen since, and I don't remember who asked me.

Q. The other people in the room, apart from Mr. McCabe, were people you did not know?

A. I knew two.

Q. Who were the two you knew?



A. Mr. Farrell and Mr. Durant.

Q. Oh, you knew them?

A. Yes.

Q. Are they neighbours of yours?

A. No.

Q. How do you know them?

A. I met them.

Q. In your husband's home—or your own home?

A. Yes.

Q. Do you remember seeing Mr. O'Connor around—Mr. Michael O'Connor?

A. I think I was introduced to him that evening.

Q. You think you were introduced to him that evening?

A. I think so.

Q. Had you not met him before?

A. No. I don't know the gentleman.

Q. Well, you have said that the telephone calls coming in were from Deputy Returning Officers—most of them?

A. I imagine there were some from papers. As I recall, I think there were some papers telephoned in. I am not sure, but I think there were.

Q. This telephone number was a special number for the election?

A. I wouldn't know.

Q. Would you not know if it was a special number?

A. I don't know anything about that.

Q. Do you remember any of the Deputy Returning Officers telephoning in to say what the results were in their polls?

A. No, I do not.

Q. You don't remember that?

A. No.

Q. Well, would you say none of them telephoned in to give you some figures?

A. They didn't give me figures. If they telephoned in, they probably asked for somebody who knew something about it. I didn't take any messages as far as I remember.

Q. You say you don't remember what your husband did with any papers that he received at the door?

A. I wasn't near my husband. He was out at the door. I was at the other end of the room at the telephone, as I have already said.

Q. Well, the papers you have mentioned, how did they reach your desk?

A. Well, there were several people in the room and I imagine some of them handed them over there. I don't even know where they got them, but these papers were handed over, and the gentleman at the adding machine was working with them, and when I wasn't on the telephone, he asked me if I would call the numbers to him.

Q. Now, Mrs. McCabe, if that gentleman were to say that you didn't call them out to him, but that you handed him the papers, would you disagree?

A. Well, I called out numbers to him.

Q. You called out numbers to him?

A. Yes, I did.

Q. Did you do that in all cases, or in some cases did you hand him the paper so he could read the numbers himself?

A. Well, I don't remember whether I did in all cases. As I say, it was just when I wasn't answering the telephone that I was doing this. I think he was working on them by himself, really, and just asked me if I would assist him—

Q. When you had time?

A. When I had time, yes.

Q. Actually, you had a great number of phone calls?

A. There was a lot of calls, yes.

Q. And in the course of the evening, results came in from 130 polls, didn't they?

A. I wouldn't know.

Q. Well, I can tell you there were 130 polling divisions in the riding; now you know they all came in.

A. No.

Q. You don't know that?

A. I had nothing to do with that.

Q. You have already told us you called out some?

A. But I had nothing to do with them coming in.

Q. What time did you start working that day?

A. I think it was—it was after evening dinner. I imagine it was between 6.30 and 7 I went there.

Q. Do you remember about what time you left?

A. I really don't recall. I think it was around probably 11 o'clock. I don't know. I am not certain on that. I didn't take any notice of the time.

Q. It would be before midnight?

A. Before midnight?

Q. Yes.

A. Definitely.

Q. Did you leave with your husband?

A. I did.

Q. Did he close the place up when he left?

A. Yes.

Q. Do you remember that?

A. Yes.

Q. You remember him locking the door?

A. Yes.

Q. And I suppose he turned out the lights?

A. Well, I guess so, I really didn't notice. We all went out together. The people—

Q. You all went out together?

A. —who were working there, all walked out together as far as I remember.

Q. So the work you did that night was between about 6.30, probably, and you think 11?

A. I imagine it was around that time.

Q. Now, can you tell me this, Mrs. McCabe, when was the big rush that night, when were you busiest?

A. Well, it seemed to me they were rushing from the time I got there—the telephone and everything seemed to be very busy all the time I was there. I don't know whether there was any particular "big rush".

Q. Well, during the first hours, were you particularly busy?

A. No. If I recall it correctly, I think probably—I really don't know what time, but I think maybe it was after 8—probably around 8 o'clock—that there seemed to be a lot of people around. I had nothing to do with those people who were coming in, or anything. I was sitting over this end, so I really didn't take an awful lot of notice of them.

Q. Where were those people coming in?

A. The door. In the front door.

Q. Where did they go when they came to the front door?

A. They came to the door. It was where I believe my husband was sitting at the desk—I am pretty sure it was him, I'm not just certain. I didn't take a lot of notice where anybody was.

Q. Did you see any of them come through the door into the big room where you were working?

A. No, they didn't come into the room. There was a desk across the door.

Q. But you saw the boxes being handed in, didn't you?

A. I saw some people handing in boxes.

Q. And you saw some papers handed in?

A. They probably handed in papers. I knew they were coming with these things, but I didn't take any notice, because I wasn't close enough.

Q. Because you had the papers reach your desk eventually; that's right, isn't it?

A. That they turned in?

Q. Well, papers showing the results of the polls came to your desk somehow?

A. That's right.

Q. I think you said you don't remember who put them there?

A. I don't remember, no.

Q. Tell me, who was moving around that night? Your recollection is your husband was at the desk at the door; do you recollect him moving around, or did he stay at the desk?

A. I don't remember.

Q. Do you recall him coming over to talk to you at all during the evening?

A. No.

Q. You don't recollect that? Would you say that he did, or that he didn't?

A. I don't remember.

Q. You don't remember whether he did or not?

A. No, I do not.

Q. Then, you met Mrs. Livingstone, didn't you, that night?

A. I met two ladies when I went in there.

Q. Do you remember their names?

A. One, I believe, was Mrs. Livingstone.

Q. And Mrs. Armstrong?

A. I believe that is her name.

Q. Were they moving around or did they stay "put" at the table or desk?

A. I really don't remember. I know they were all in the room, but didn't take particular notice what anybody was doing.

Q. Well, you knew Mr. Farrell and Mr. Durant?

A. Yes, I did.

Q. Remember seeing them move around?

A. Well, I remember they were there when I went in, but I don't remember whether they were moving around or not.

Q. You don't remember that?

A. No, I do not.

Q. What happened to the boxes?

A. I don't know.

Q. Well, we have been told that the boxes were carried over to another door and deposited in another room. Now, do you say you never saw Mr. Farrell or Mr. Durant moving around the room that night?

A. I don't remember.

Q. No recollection of that at all?

A. No.

Q. And you have no recollection who put any papers on your desk?

A. No. As I told you, there were several people in the room, and when we were busy, we were busy and that was it.

Q. These papers you took figures from—you do remember that there were figures on them?

A. Well, I do remember there were figures on them. I told you I called them out to the reporter.

Q. Do you remember whether the figures were in pen or pencil?

A. I'm sorry, I do not remember.

Q. You don't remember that? Did you notice what the figures were in any case?

A. I did not. I just called them out.

Q. You didn't pay any attention to what they were?

A. I paid no attention. They meant nothing to me, other than they were figures and I was asked to call them out.

Q. Well you work with figures all the time?

A. Yes I do.

Q. You're quite familiar with them?

A. Not those kind. I am very familiar with figures, yes.

Q. Well, they are not different than any other figures?

A. No, I don't say they're different than any other figures, but I am a bookkeeper and on my own books, and, what I mean, I am not interested in anybody else's.

Q. What kind of books do you look after?

A. I said I was a bookkeeper.

Q. Yes, but I'm asking you what kind of books?

A. Well....

Q. Do you make entries?

A. Certainly.

Q. Do you use an adding machine?

A. I do.

Q. Do you work under an accountant, or on your own?

A. On my own.

Q. On your own?

A. I mean, I am the only bookkeeper there.

Q. You are responsible for the bookkeeping of that firm?

A. Definitely.

Q. And you have been doing that for nine years?

A. Yes.

Q. Now, Mrs. McCabe, did you take any part in the election campaign?  
You have told us you were not in your husband's office.

A. I took no part in anything other than I have told you.

Q. You didn't do any canvassing?

A. I am at business, I don't have time.

Q. Did you attend meetings?

A. I never attended an election meeting or anything like that in my life,  
I know nothing about that.

Q. When did your husband ask you to come and help there?

A. That afternoon.

Q. Well, were you not at work that afternoon?

A. I was at work.

Q. Did he telephone you?

A. He did—or I telephoned him, I just can't remember which.

Q. Was that the first time he mentioned it?

A. I beg your pardon?

Q. Was that the first time he mentioned it?

A. Yes, it was,

Q. When did you find out about the results of the election in St. George?

A. I don't remember.

Q. Well, did you know, when you left the Committee room with Mr. McCabe, did you know Mr. Porter had been elected?

A. I really don't remember whether I did or not. I mean, none of them meant anything to me, so as far as I was concerned, I don't remember whether I knew who was elected.

Q. Are you telling me, Mrs. McCabe, that after the evening's work, when you left the office with Mr. McCabe, you didn't know who had been elected?

A. I don't remember whether I did or not.

Q. You are not sure of that?

A. I'm not sure.

Q. Do you remember who was in the lead when you telephoned Mr. Porter?

A. I don't remember.

Q. You don't remember that? How far did you go in school, Mrs. McCabe?

A. That's a very personal question. Do I have to answer that, Mr. Chairman?

THE CHAIRMAN: I don't think it will hurt to answer that. We don't want to embarrass you, but the point is this, that—of course, with this woman she says she can handle an adding machine and is doing bookkeeping; she has to have enough education to do that. Did you go to high school?

A. Did I go to high school? Definitely.

BY MR. JOLLIFFE: Q. Yes. How many years did you go to high school?



A. I think that's a very personal question.

Q. Mrs. McCabe, I'm asking you that question.

A. Do I have to answer that?

THE CHAIRMAN: I would answer it.

A. Three years.

BY MR. JOLLIFFE: Q. You went three years to high school. In Toronto?

A. No.

Q. Where did you go to school?

A. Out of town.

Q. I beg your pardon?

A. In the town where I lived.

Q. Where was that?

A. (No audible reply.)

THE CHAIRMAN: I suppose she doesn't want the local papers to put her name in.

MR. JOLLIFFE: I don't think they will.

THE WITNESS: Well, as a matter of fact, I go to business and don't want it in the papers at all.

BY MR. JOLLIFFE: Q. Mrs. McCabe, one of the reasons I am asking you these questions is that I want to see just how frank you are being with this Committee. I am interested to know whether you are holding back information or are giving us—

A. I have given you all the information anyone asked.

Q. Then, I am asking you what town did you go to school in?

A. I don't think I have to answer that, do I, Mr. Chairman?

THE CHAIRMAN: Mrs. McCabe—

THE WITNESS: That is a personal question. I don't think it has anything to do with this meeting at all.

THE CHAIRMAN: Well, I don't think that enters into it, I mean, you don't, Mr. Jolliffe, want to go into this woman's history, or anything? You might tell Mr. Jolliffe the town where you went to school.

THE WITNESS: I have to tell him?

THE CHAIRMAN: Yes, I think you should answer that.

THE WITNESS: Arthur, Ontario.

MR. JOLLIFFE: All right.

THE CHAIRMAN: That is up near—that is a pretty good district up around there, too.

THE WITNESS: It certainly is.

MR. JOLLIFFE: Oh, a very good district.

MR. STEWART: Where is that?

MR. JOLLIFFE: It is in Wellington County, as you should know.

MR. STEWART: Why should I know? Mr. Chairman, I would like to know why I should know where Arthur is?

MR. JOLLIFFE: I will explain it to you later.

MR. STEWART: No, I want it explained now—why I should know where Arthur is.

MR. JOLLIFFE: Because it is a very important town.

MR. STEWART: I live down in eastern Ontario.

MR. JOLLIFFE: A very important town in western Ontario.

MR. STEWART: Not to me it isn't.

MR. JOLLIFFE: It is not as big as Kingston, but it is equally important.

Mrs. McCabe, do you know Mrs. Lamb?

A. Mrs. who?

Q. Mrs. Lamb?

A. No.

Q. Do you remember getting a telephone call from a Mrs. Lamb early in the evening, giving you the results in the poll at 33 Summerhill?

A. I don't remember.

Q. Do you remember some of the Deputy Returning Officers did telephone you those results?

A. They may have. I recall very little of that evening. I had no reason to think any more of it after I left there then.

Q. What surprises me, Mrs. McCabe, is that you recall so little.

A. Well, I am sorry I surprise you, but I mean, after all, I didn't take any particular notice of anything that was going on, other than what I was doing.

Q. What were you doing?

A. I was answering the telephone.

Q. And reading results to the newspaper reporter?

A. Reading off little slips of paper to the reporter.

Q. Why do you say they were "little slips of paper"?

A. That's all I recall. As far as I remember. I don't remember clearly just what they were, but they were slips of paper.

BY THE CHAIRMAN: Q. Did you do any tabulating yourself, Mrs. McCabe?

A. On the adding machine?

Q. On anything. Did you do any tabulating yourself?

A. No, I did not.

Q. Did you do any writing yourself?

A. Writing?

Q. Yes.

A. No.

Q. Who did the tabulating?

A. Well, I don't know, unless this gentleman who was using the adding machine.

Q. Well, some mention was made here about a map that was on the wall; do you recollect that?

A. I beg your pardon?

Q. A map that was on the wall, do you recollect that?

A. A map?

Q. A map of the riding?

A. I do not. It might have been—

BY MR. DENNISON: Q. Mrs. McCabe, Mr. Rae, the Evening Telegram reporter, stated this in his evidence: "she had a map on the wall"—he was speaking about yourself—"with the different wards marked on it, and she seemed to be checking the returns as they came in. I don't know exactly what she was doing." And I asked him another question, and he seemed to be very clear that there was a map on the wall and that you were checking these returns with the map before you gave the figures to him. Do you recall that?

A. No, I do not recall that.

Q. Do you recall checking in the case of even one subdivision with the map—with a chart on the wall?

A. I don't remember a map. I don't remember checking anything on a map. Did he mention me in particular, that I was doing that?

Q. Yes, he was speaking of you.

A. Well, all I remember or recall doing was answering the telephone, and calling out the numbers for this gentleman who was at the adding machine.

Q. Now, what we are really attempting to get at, Mrs. McCabe, is, the press report and the total results which were phoned in by Mr. Rae that night, and the returns that your husband made on Form 40 were practically identical, and yet both of them were wrong. These reports gave Mr. Porter approximately 1,665 votes that he was not entitled to and did not actually get, and they subtracted 1665 votes from Mr. Frier. Now, do you know how that could have happened between that door and the press reporter?

A. I know nothing about it.

Q. In the case of one Deputy Returning Officer, Mr. Lawford, he swore that he had handed in a certain set of figures, but those figures were increased when they reached the reporter. Do you know how that could have happened?

A. I know nothing. I don't know how that could happen.

Q. Did you yourself interfere or change any of those figures?

A. I never interfered with any figures at all. As I said before, I called them out.

Q. Some of these figures were changed in such a way that it could be done very simply. For instance, a "1" would be added in the front of "27" to make the number for Mr. Porter "127" instead of "27"; now, do you know of anyone that night who—or do you know anyone that night who did that?

A. I do not.

Q. You have no knowledge of that?

A. I have no knowledge of it.

Q. Not even a single instance of it?

A. No knowledge at all.

Q. Mrs. McCabe, what I wonder in connection with your occupation—if you would tell us—are you employed by any agency of this government?

A. No, it is not a government position. Definitely not.

Q. Do you remember Mr. O'Connor ever visiting your house and talking to your husband?

A. No, I never saw him in my home.

Q. On the night of the election, do you remember Mr. MacLean being in the room—Mr. Porter's official agent?

A. I do not remember; I do not know him.

Q. Would you know Mr. MacLean?

A. I do not know him, no.

Q. Now, when the Deputy Returning Officers handed their ballot boxes to your husband, to whom did he hand the sheets? Did he hand them directly to you?

A. No, I don't remember. I was not near my husband. As I said before, I was up at this end of the room (indicating) at the telephones.

Q. So that somebody must have taken the sheets from your husband to you?

A. There were several people in the room.

Q. Handling the sheets, were they?

A. I do not know what they were handling. I was paying no attention to them.

Q. But you know your husband did not hand them directly to you?

A. I don't remember that.

Q. So somebody must have been in between the two of you?

A. There were several people in the room that night.

Q. Now, when your husband got each ballot box, did he holler out the votes received for each person, and you wrote that down yourself?

A. No, I wrote nothing down.

Q. The material you handed to the press was material you had received already written down by somebody on a sheet of paper?

A. Definitely.

Q. Do you remember your husband hollering out any of the subdivisions?

A. I do not remember.

Q. Would you say that a majority of the subdivisions, he did not holler out?

A. I cannot tell you.

Q. But you do not remember him hollering out a single subdivision?

A. There was so much noise in the room, he might have been calling them out to somebody, and I would not know it. He may have, but I was not near him at all.

Q. Do you remember any of the ballot boxes being sealed? For instance, would you know whether they were locked or not?

A. I was not near the ballot boxes.

Q. Do you remember your husband swearing in any of these Deputy Returning Officers as they came to the door?

A. I do not. He may have done that, but I was away at the other end of the room, and I would not know what he was doing. I know nothing at all about elections, and I would not know what he was doing.

Q. Do you remember Mr. O'Connor being in the room during the night?

A. I do not.

Q. Did Mr. O'Connor hand you any of these papers from your husband?

A. I met Mr. O'Connor as I was leaving that night. I was introduced to him.

Q. That night?

A. Yes, as I was leaving the building that night.

Q. Was he in the room then?

A. He was in the hall.

Q. He was in the hall?

A. Yes.

Q. And by that time were there any D.R.O.'s still in the room, or were there just as few of you?

A. As I recollect, it was just the people who were working there. I do not remember, really. There may have been other people there.

Q. About how many?

A. It was all so strange to me I took very little notice of any of the people who were around, only those two boys. I would not know any of them.

Q. Were there any other women there you remember who would be checking the map with the returns, as they came in?

A. There were two ladies in the office, the clerks who were there. They may have been. I would not know what to check on the maps.

Q. When you finally closed office up that night, there would be some one half dozen to ten people around there, at the time of closing?

A. Around that, yes.

Q. I suppose before you left you checked over the day's work, and the result?

A. Well, possibly they did. I do not remember whether they did or not. I was not there all day. I was only there after office hours, for a few hours.

Q. You remember Mr. O'Connor was there to the end?

A. I just remember meeting a Mr. O'Connor, as I was going out.

Q. And your husband went out with you at the same time?

A. My husband went out with me.

Q. Would you say that would be about ten o'clock at night?

A. It might have been 11 o'clock.

MR. DENNISON: That is all, thank you.

The witness retired.

MR. DENNISON: Have we any other evidence?

THE CHAIRMAN: No, I think Mrs. McCabe completes the list of witnesses.

Gentlemen, these are all the witnesses of which I have any knowledge.

MR. DENNISON: I would like to have one document presented, Mr. Chairman. It is more to check on the veracity of Mr. O'Connor's testimony than anything else. I would like to have the financial return which is made to the Returning Officer by Mr. Porter, produced by Mr. McCabe.

THE CHAIRMAN: What is the provision for that in the Act? It is open to the public, and is published in the newspapers, is it not?

MR. DENNISON: I do not know whether such a thing is obtainable or not. I am informed the Returning Officers keep them for six months after the election, and this is much after that length of time.

MR. HARVEY: It is provided for in section 204 of The Election Act.

MR. DENNISON: I would like to have the Returning Officer asked to produce that document. He may not have it. I hope he has.

MR. JOLLIFFE: If he has it.

MR. PATRICK: After six months the statement of receipts and expenditures are returned to the candidates, if they wish them. I know I get mine back.

THE CHAIRMAN: I never got mine back. I do not know what happens to them.

MR. JOLLIFFE: I would like to ask that the certificate found in connection with polling subdivision 101 (b) be produced.

THE CHAIRMAN: Gentlemen, Mr. Jolliffe has asked to have the certificate found in connection with polling booth 101 (b) produced.

Here is the situation. Poll 101 (b) is one of the polls in which there was a change. The figures on Form 40 show Frier 10, MacVicar 40, and Porter 172. But the check that was made by Mr. Harvey and Mr. Lewis showed Frier 10, MacVicar 40, and Porter 122. The judge's recount, in counting the ballots, showed that the Deputy Returning Officer's certificate, Frier 10, MacVicar 40, Porter 122, is correct, but it shows, like 25 other cases, that the Form 40 is different.

MR. JOLLIFFE: I do not mind telling you my reason, Mr. Chairman. I understand that in the case of at least one of these documents, there is evidence of physical alteration. I have not seen them, but I am so informed.

THE CHAIRMAN: The only thing is, his honour (Judge Gordon) said there is no indication of anything. That was in his letter, where he says:

"I found no evidence of any irregularities on the part of the Deputy Returning Officers or their clerks. Some few slight discrepancies were found, such as the inclusion of two ballots in the wrong envelope in two or three instances, and I also found five ballots which I decided were spoiled ballots."

MR. JOLLIFFE: Mr. Dennison tells me that on the recount, the documents were not examined, but at the inspection on February 17th, they were examined.



THE CHAIRMAN: I would say that as long as the certificate which was in the box corresponded with the number of votes which the judge found, it is quite possible there would be a physical alteration in that the Deputy Returning Officer might fill out a form, and make an error in filling it out, and correcting it himself.

MR. JOLLIFFE: I do not know whether it was in the poll book or in the certificate found in the box, or where it was. I understand from those who saw it during the inspection, that one of the documents clearly had been changed—at least one. I think the Committee should see that document. As a matter of fact, I wanted to ask about that. That is the sort of document which should be looked at.

THE CHAIRMAN: The certificate corresponds with the judge's recount. The certificate, according to this corresponds with the audit made by Mr. Harvey and Mr. Lewis in the presence of Mr. Frier, which is covered by this report (indicating). The Deputy Returning Officer's certificate is shown. Whether there is an alteration on it or not, I do not know, but it shows "Frier 10, MacVicar 40, and Porter 122."

His honour in his report says, "Frier 10, MacVicar 40, Porter 122."

MR. JOLLIFFE: What his honour was doing was counting the ballots.

THE CHAIRMAN: That is right, but it corresponds with the form in the box.

MR. JOLLIFFE: I am telling you I am informed—I have not seen it myself—that one of the documents shows a physical alteration. I think that is the sort of thing the Committee should see.

THE CHAIRMAN: Gentlemen, what do you say about that? If there is anything that will throw any light on this thing, I want it to be brought out. I can easily see how it could happen that a Deputy Returning Officer, while filling out a form, might make a mistake, and correct it, and as long as the correction shows the correct number of ballots—

MR. JOLLIFFE: I think we should see it, to find out what it does look like.

MR. HARVEY: I recall there was no entry in the poll book, but there were Forms 35 and 36 for the polling subdivision, produced by somebody.

MR. JOLLIFFE: Probably Mr. Frier produced the Form 36. I do not know who produced the Form 35. It may have been in the box, or been produced by Mr. McCabe.

THE CHAIRMAN: Perhaps you could find that for us, Mr. Harvey, poll 101 (b).

MR. HARVEY: Yes, I will try to do that.

MR. JOLLIFFE: As I said on Friday, I would be very reluctant to call witnesses who might not be necessary, but this does occur to me, and it may also have occurred to you, that we have heard from a number of witnesses who were

present in the room on the night of June 7th, McCabe, the Returning Officer, Mrs. McCabe, Mr. Rae, the Telegram reporter, Mrs. Livingstone and Mrs. Armstrong. I think you will agree that their evidence is not altogether entirely consistent, one with the other. There are two individuals whom we have not heard so far, namely, Mr. Farrell and Mr. Durant. I think it is indisputable that they were in the room. Where there are so many contradictions in the evidence, as to what went on in the room that night, it seems to me perhaps that we ought to call them, and hear what they have to say.

THE CHAIRMAN: If you want them called, we will certainly get them.

MR. JOLLIFFE: I think we should. Probably it would not take long, and the point is, as far as I know, they are the only two people in the room whom we have not examined, and it may be they will throw some light on the events of that night. On the other hand, they may not.

THE CHAIRMAN: Alright, we will subpoena Farrell and Durant. We have the Committee on Public Accounts meeting to-morrow, and I do not think we can proceed them.

MR. JOLLIFFE: I agree with you, that I do not think that we can go on to-morrow.

Another thing is, Mr. Chairman; we have heard about the various reports and Forms 35 and the poll books which were supposed to be in the box, and we have heard about Forms 36 which Mr. Frier, in some cases, had. One of the Deputy Returning Officers on Friday testified that he sent a copy of Form 36 through the mail to Mr. MacVicar and Mr. Porter. It occurs to me—

THE CHAIRMAN: But he delivered a copy to Mr. Frier personally, and sent the others through the mail?

MR. JOLLIFFE: Yes. The question which arises in my mind, is this: did the figures which were communicated by the Deputy Returning Officer to Mr. Porter and Mr. MacVicar correspond with the figures in the other Form 36, or did any of them go wrong?

THE CHAIRMAN: How could anybody find that out at this time? This is nearly nine months afterwards.

MR. JOLLIFFE: I am wondering whether Mr. Porter or his campaign manager or his agent would not have those figures. I presume the same figures Mr. Frier had—

THE CHAIRMAN: If you ask me for mine, I have no idea where they are.

MR. JOLLIFFE: I am sure I did not receive very many. The point is, if Mr. Porter, or more probably I suppose his agent or manager, has any of those documents, I think it would assist the committee if they would bring them forward, and they might throw some light on the situation.

THE CHAIRMAN: Mr. Porter, have you any Forms that you recollect?

HON. MR. PORTER: I am afraid not. I got some of them on election night, or the day after election, but they are gone now.

THE CHAIRMAN: I was wondering if Mr. MacLean would have any?

HON. MR. PORTER: No, they came direct to me, when they came in. There was only the odd one. Some of them return them, and some of them do not.

THE CHAIRMAN: I would say that probably myself I only got about one-third of them from the riding, and where they are, or what happened to them, I have not the foggiest idea.

MR. JOLLIFFE: I think I get about one-third, too.

THE CHAIRMAN: I do not think as there is any possibility of producing them.

MR. JOLLIFFE: Then I take it any discrepancies there may have been were not noticeable in the forms received by the other candidates. That does not surprise me very much, because as a rule the candidates do not bother to check them.

THE CHAIRMAN: This seems to be the outcome; the forms Mr. Frier got from the Deputy Returning Officer were correct. That is how he found out about these things. Mr. Frier, in this form, was shown the correct figures. Where this thing appears to have come about is it may have happened on election night, and certain of these forms may have been changed. It is apparent that some of them were changed between the date of the election and the recount date. The difficulty is we have not a bit of evidence concerning any of them which were changed, beyond this.

Where the difficulty is, in this matter, as I see it, is in trying to ascertain the date this thing happened. It might have happened on election night when everybody is upset, and things are upside down, and when people are sending in reports, and things might be counted twice, or figures might be transposed. However, most of the figures from the night of the election are exactly as contained in the reports, of the official count. And that is the point where you think it would be caught up with.

On the morning of the official count, there were present the people named before this Committee, and it is perfectly plain from the judge's count that if the Returning Officer and those present had gone to the ballot boxes, and taken the reports from the ballot boxes, or from the certificates in the boxes, everything would have come out just as the judge found it. Apparently, at that time—if we are to believe the evidence—Mr. Frier was present, Mr. McCabe and the others, and apparently they looked in the boxes, and if one of the certificates was not there, instead of looking in the poll book, they took these forms which are said to have come in on election night, and took the vote from that. We do not know that is where the error came about, but that is a possible explanation.

As to where these forms came from is another difficulty. We have all sorts of evidence here to show us, but none whether the forms were changed or whether there were new forms made out, or what happened. We do not know. We do not know how they got there, or what happened.

MR. JOLLIFFE: Mr. Chairman, there are two points in this case we should get very clear. The first is this: in all this evidence there has been no suggestion—not an iota of evidence to suggest—that any of the Deputy Returning Officers counted the votes improperly, or reported the results improperly. On the other hand, there is evidence to the contrary, in that the forms 36 which were, after all, signed by the Deputy Returning Officers, and which Mr. Frier had in his possession, and insofar as Mr. Frier has been able to produce them, have been confirmed almost without exception by the judge's recount, which goes still further to indicate that the Deputy Returning Officers were not changing the documents, if changes occurred.

I think that means, Mr. Chairman, that it indicates pretty clearly that any changes which may have taken place, took place after 7.30 on the night of June 7th.

THE CHAIRMAN: Mr. Jolliffe, supposing in considering this mass of evidence which is before us, I think, before we start arguing on it—

MR. JOLLIFFE: In view of what you said, I want to make these two points. First there has not been one iota of evidence that the Deputy Returning Officers' counted or reported votes improperly. I want to say this; that if that suggestion is going to be made in argument at all, I think the Deputy Returning Officers are entitled to be heard in their own defence.

THE CHAIRMAN: I cannot see anything that reflects on those Deputy Returning Officers.

MR. JOLLIFFE: Neither can I.

THE CHAIRMAN: I do not know what the other members of the Committee think.

MR. JOLLIFFE: The second point is that the evidence does indicate that changes in the reported figures occurred between 7.30 and 11, because the final press report which was carried—

THE CHAIRMAN: Personally I am inclined to agree with you, Mr. Jolliffe, but the big questions are, who did it, and how was it done?

MR. JOLLIFFE: The evidence has narrowed down to between 7.30 and 11.30, because at 11.30 on that night, the Canadian Press carried on its wires report which closely corresponds to the altered figures.

THE CHAIRMAN: I think we might start to eliminate certain people. I do not think Mr. MacVicar had anything to do with it.

MR. JOLLIFFE: I think we can acquit Mr. MacVicar alright.

A MEMBER: He has probably forgotten he ever ran.

THE CHAIRMAN: We will give him a clean bill of health.

MR. JOLLIFFE: These (indicating) are two copies of Form 35 relating to polling division 101 (b) and both signed by the poll clerk, and not by the Deputy Returning Officer. Apart from that, I cannot see anything wrong with them, at all.

THE CHAIRMAN: The judge's recount gave Frier 10, and MacVicar 40, and Porter 122; exactly as it is there (indicating).

MR. DENNISON: There was one poll, Mr. Chairman, number 100, and perhaps we have this mixed up with 101 (b). There was one poll, number 100, where Mr. Frier's certificate was wrong, the Form 40 gave Frier 63, Porter 135, whereas the poll book showed just the reverse, Frier 135, and Porter 63. There, in regard to poll 100, the discrepancy might have been the responsibility of the Deputy Returning Officer.

MR. JOLLIFFE: It was simple transposed. That was rather different from the other changes. You do not have the poll book for 101 (b)?

MR. DENNISON: This (indicating) is number 100.

MR. JOLLIFFE: No, for 101 (b).

MR. HARVEY: There is no entry in the poll book.

MR. JOLLIFFE: She did not sign the 35 as she should have done.

MR. DENNISON: Who was the Deputy Returning Officer at poll number 100? Is there any entry there?

MR. HARVEY: The Deputy Returning Officer for poll number 100 was Mr. A. G. Sutherland.

MR. DENNISON: It seems to me, Mr. Chairman, that the fact that the press returns agreed with Form 40—

THE CHAIRMAN: Let me ask you, Mr. Dennison, before we start in considering this matter, if there are any other witnesses you want to call? Do you want these two witnesses, Farrell and Durant?

MR. JOLLIFFE: Yes.

THE CHAIRMAN: Then we might as well get them. It is too bad we did not know about it before, or we could have had them here this morning and cleaned up the evidence.

MR. JOLLIFFE: I am sorry I did not think of it. I think it is almost apparent now that our problem is to find out what happened in that room that night. I do not recollect anybody else having been mentioned in evidence as having been present.

MR. DOUCETT: There was the father and son—I do not recall their names.

THE CHAIRMAN: What about the Wallaces? Oh, they were only there at the official count.

MR. JOLLIFFE: I do not think they were there on the night of the election.

THE CHAIRMAN: Well you have mentioned two, Mr. Farrell and Mr. Durant. Do you want the Wallaces?

MR. THOMAS (Elgin): Are these all you know of who were there on the night of the election?

MR. JOLLIFFE: As I recall the evidence, it has been said that Mr. Farrell and Mr. Durant were—

THE CHAIRMAN: This is the list (indicating) of those who were there on election night. There was Mrs. Livingstone, whom we have called; Mr. and Mrs. McCabe, called; the Telegram reporter, called; and Mrs. Armstrong, called. The only two who have not been called are "Joe" Farrell and Armand Durant.

At the official count, there were present Mr. McCabe, whom we have called, Mrs. Livingstone, whom we have called; Mr. Frier, called; Mr. O'Connor, called; Mrs. Armstrong, called; and there was the Wallaces, father and son, who were not called. They were the fellows who apparently were handling the boxes. Do you want them here, too?

MR. JOLLIFFE: On my theory of the thing, it probably will not be necessary, but there also was some contradiction of evidence of what occurred at the official count. I do not think what occurred at the official count has anything to do with it, but I may be wrong. I do not want to inflict my theories on the Committee.

THE CHAIRMAN: Gentlemen, what do you say?

MR. JOLLIFFE: That is my theory, Mr. Doucett.

MR. DOUCETT: I think you are right.

MR. THOMAS (Elgin): Have we sufficient evidence now—

THE CHAIRMAN: Gentlemen, let me ask you this: does any member of the Committee want the two Wallaces?

SOME HON. MEMBERS: No.

THE CHAIRMAN: All right then, the Wallaces are out. You want Farrell and Durant, though?

MR. JOLLIFFE: Yes.

THE CHAIRMAN: All right. Get them. Now, how would it be if we made it ten o'clock Wednesday morning?

MR. F. S. THOMAS: Eight o'clock in the morning.

THE SECRETARY: Municipal Law and Agriculture Wednesday morning.

MR. JOLLIFFE: They are both important committees. What about Thursday morning?

THE SECRETARY: Nothing for Thursday yet.

THE CHAIRMAN: All right, Thursday morning, gentlemen?

MR. JOLLIFFE: Thursday, then.

THE CHAIRMAN: Let's make it Thursday morning.

THE SECRETARY: Ten o'clock?

THE CHAIRMAN: Yes.

MR. F. S. THOMAS: Can't we meet a little earlier Thursday morning and have it over before—

THE SECRETARY: 9.30?

THE CHAIRMAN: 9.30.

A MEMBER: That's a good idea.

THE CHAIRMAN: It is all right with me, I am always here at 7.00 o'clock mornings.

Whereupon, at 12.02 p.m., the further proceedings of this Committee were adjourned until Thursday, March 24th, at 9.30 o'clock in the forenoon.

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## SEVENTH MEETING

Toronto, Thursday, March 24th, 1949,  
9.30 o'clock a.m.

The further proceedings of this Committee reconvened pursuant to adjournment.

THE CHAIRMAN: We will have the roll call.

Roll call by the Secretary, showing the following to be present: Messrs. Nixon, Calder, Stewart, Patrick, Wismer, Pryde, Robson, Cathcart, Doucett, Jolliffe, Dennison, Oliver.

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THE CHAIRMAN: Before "Orders of the Day" may I say that I think Mr. Oliver is down having something done to his vocal chords.

MR. JOLLIFFE: Mr. Dennison said he could call the cows without getting up in the morning.

THE CHAIRMAN: Well, to-day we will devote ourselves to business, and not have any further picnics.

MR. NIXON: It just depends on what you start, Mr. Chairman.

THE CHAIRMAN: We have two witnesses here, Mr. Farrell and Mr. Durant.

MR. JOLLIFFE: Before the first witness is sworn, whom I understand is Mr. Farrell, and the second is Mr. Durant—

THE CHAIRMAN: Yes.

MR. JOLLIFFE: I would suggest that the second witness be excluded.

THE CHAIRMAN: That is alright. Mr. Durand, would you kindly go outside.

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CYRIL JOSEPH FARRELL, a witness being called and duly sworn, testified as follows:

BY THE CHAIRMAN: Q. Mr. Farrell, the evidence is that you were in the Returning Officer's office on Church Street, on the night of the election, and present at that time were Mr. and Mrs. McCabe, Mrs. Livingstone, the clerk, a newspaper reporter and Mrs. Armstrong. My recollection is that was all, with yourself and Mr. Durant?

A. Yes.

Q. Just describe what you were doing there? What was your job?

A. On the night of the election Mr. McCabe asked me to go to the entrance of the building and not to let too many people in with their ballot boxes at one time. The hallway was narrow, and on that evening there may have been sixty or seventy-five people there, and I was letting in perhaps six or seven at a time.

Q. Then were you in the room, or were you in the corridor?

A. I was in the corridor the greater part of the evening.

Q. Then you were not there all the time? During part of the time you were in the room itself?

A. The latter part of the evening I was.

Q. What did you do in the room?

A. When I went back in I put some of the ballot boxes into the room where they were locked up.



Q. Did you see anybody sealing the boxes—putting sealing wax, or whatever it was, on them?

A. No, I did not. I did not pay particular attention to that. I am not familiar with what goes on at that time.

Q. Were you being paid by Mr. McCabe, the Returning Officer?

A. Yes.

Q. As a helper?

A. Yes.

THE CHAIRMAN: Mr. Jolliffe, no doubt there are some things you would like to ask Mr. Farrell.

MR. JOLLIFFE: Yes.

BY MR. JOLLIFFE: Q. Mr. Farrell, in the first place, did you do any work for Mr. McCabe before the 1st of June?

A. No.

Q. You came in about 7 o'clock on the night of the election?

A. No, I came in, in the morning.

Q. What did you do during the day?

A. Made myself generally useful, answering the telephones, which would ring on an average once every two seconds.

Q. How long had you known Mr. McCabe?

A. I have known Mr. McCabe a great many years.

Q. Do you know Mrs. McCabe?

A. Very well.

Q. Are you neighbors?

A. No.

Q. And then you say that in the evening you were asked to keep the door closed to avoid a crush?

A. Yes.

Q. About what time did you start those duties?

A. About 7 o'clock, as far as I can recollect now.

Q. Do you remember how long you continued at the door in the corridor?

A. No, I cannot say.

Q. I think you said a little while ago the greater part of the evening?

A. I imagine it would be until approximately ten o'clock.

Q. You think until approximately ten o'clock?

A. Yes.

Q. And your duty was to see that there was not too much confusion when the Deputy Returning Officers came in with their boxes?

A. Not too many at one time, because they would not be able to move around.

Q. The entrance is on Church Street?

A. Yes.

Q. And inside the entrance from the street is a hallway?

A. Yes.

Q. And as the Deputy Returning Officers came in the door, you saw to it they stood in line, instead of climbing over each other?

A. That is right.

Q. That was the job assigned to you by Mr. McCabe?

A. Yes.

Q. Did you keep other people out of the hallway?

A. How do you mean?

Q. The Deputy Returning Officers were entitled to come in with their boxes?

A. That is right.

Q. Did you keep other people out?

A. There were no other people there, that I noticed.

Q. You did not notice anybody apart from the Deputy Returning Officers?

A. No.

Q. The Deputy Returning Officers came up the hall in line, I suppose, if there were a number of them, and where did they put the ballot boxes?

A. There was a small table, I guess about as wide as this table here (indicating). Mr. McCabe pushed it across the doorway, and sat behind it, and the Deputy Returning Officers put their boxes there.

Q. Did they do it under their own steam, or did you help them?

A. No, under their own steam.

Q. You did not help them put any boxes on the table?

A. I was about twenty yards away.

Q. Did anybody else help put the boxes on the table?

A. Not that I recall.

Q. There was nobody you had to ask to keep out of the way?

A. Not that I can recollect.

Q. The only people you noticed in the hall way that night were the Deputy Returning Officers?

A. Of course, as far as that was concerned, they were Deputy Returning Officers. I did not know whether they were Deputy Returning Officers or not.

Q. I understand what you mean, but all the men you saw coming into the hallway had ballot boxes; is that right?

A. I cannot say they had. I never paid that much attention.

Q. Mr. Farrell, did you notice any of the Deputy Returning Officers carrying slips or sheets of paper, as well as the ballot boxes?

A. When they passed me, I never particularly noticed that, no.

Q. Did you see them transacting their business with Mr. McCabe?

A. No, I could not see that very well. I was at the entrance, you see.

Q. You were by the front door?

A. Yes.

Q. And they you say you were out there until about ten o'clock, and I suppose by that time the rush had fallen off?

A. Yes.

Q. Then what did you do?

A. I came back into the room and sat down.

Q. Well, now, with regard to the set-up in that room. I take it, it is a fairly large room?

A. Quite large.

Q. Would it be half as big as this room?

A. Not quite.

Q. Was there a telephone there?

A. Two.

Q. There were two telephones?

A. Yes.

Q. Did you notice who were at the two telephones?

A. No.

Q. You did not notice that?

A. No.

Q. Can you not remember anybody who was near the telephones?

A. You mean answering a particular phone?

Q. No, being located at the telephones?

A. As far as I could see, they were all located at the telephones. Everybody was around.

Q. You had answered the telephones yourself during the day?

A. Yes.

Q. Were you asked to answer the telephones at all during that night?

A. No.

Q. You did not make any telephone calls that night, yourself, nor receive any?

A. No.

Q. Mr. Farrell, you told us Mr. McCabe was at the table, by the door?

A. Yes.

Q. Was he alone there, or was there somebody with him?

A. He was alone, as far as I know.

Q. You did not notice anybody close to him?

A. No.

Q. Then was there another table by the telephones?

A. The telephones were on tables.

Q. They were on tables?

A. Yes. As far as I can recall I do not think there was a desk in the room.

Q. Just tables?

A. Yes, like this one here (indicating).

Q. The telephones were not on the wall?

A. No.

Q. They were on the table?

A. Yes.

Q. Well, the Chairman has mentioned two or three women. I think he mentioned Mrs. Armstrong. Do you know her?

A. There were two women there, but I cannot remember the names of either one.

Q. You do not know them by name?

A. No.

Q. But you know Mrs. McCabe?

A. Yes.

Q. Do you remember where Mrs. McCabe was?

A. I think she was sitting at one of the tables, as far as I can recollect.

Q. And the other ladies were sitting at the tables, too?

A. I think they were.

Q. What did Mr. Durant do?

A. Piling ballot boxes in the room where they were to be locked up.

Q. Did that room adjoin the big room where you were?

A. It adjoined the big room where they were. I was in the hall.

Q. After you came in, you helped Mr. Durant to carry the boxes into the side room?

A. Yes.

Q. Was there a door between the big room and the side room, where you put the boxes?

A. No.

Q. Was there also a door between the side room and the hall?

A. No.

Q. There was only one door to that room?

A. Yes.

Q. To get access to this side room, you would have to go through the big room?

A. That is right.

Q. Was there one door between the big room and the hall—just the one door?

A. Just one door.

Q. Just one door?

A. Yes.

Q. Would you say that Mrs. McCabe was fairly close to one of the telephones?

A. I guess she was as close as the rest of them.

Q. About how far would she be from Mr. McCabe?

A. As far as I can recall, I think it was the width of the room—about.

Q. The width of the room?

A. Yes.

Q. Could you give us an estimate of how much that would be?

A. From where I am sitting to the last row of chairs there (indicating)

BY MR. DENNISON: Q. That would be about twenty feet?

A. Approximately that.

BY MR. JOLLIFFE: Q. You think about twenty feet?

A. As far as I can recollect. I do not remember much about the room.

Q. How far apart apparently were the two telephones?

A. I cannot say.

Q. Well, telephones are usually connected with a wall, by a wire?

A. Yes.

Q. Were these two telephones connected with the same wall, or different walls?

A. As far as I can remember I think they were connected with the same wall with quite a length of wire. They could be moved from one place to another. They were cradle phones.

Q. Would this wall be the wall farthest away from the door?

A. It would.

Q. Do you remember anything about the other telephones? You say there were two of them?

A. Yes.

Q. And one of them I understand was easily accessible from where the ladies were sitting?

A. That could be.

Q. Well now, do you remember if that was the case?

A. I do not quite understand what you mean by "easily accessible to the ladies". I think both phones were easily accessible to everyone.

Q. The ladies were sitting at tables?

A. Yes.

Q. And one telephone was on the table?

A. I do not remember particularly it was on the table where the ladies were sitting.

Q. The other telephone was also on a table?

A. Yes.

Q. Were these tables placed one against the other? You see tables where the reporter is sitting this morning (indicating)?

A. Yes.

Q. And it was placed nearly against the table, like the table where the Chairman is sitting (indicating)?

A. Yes.

Q. Were the tables placed that way, or was there some distance between them?

A. The whole day and evening was very upset, of course. I imagine the tables were moved around, as far as I know. I cannot recollect exactly. There were some three or four tables in the place.

Q. Can you say whether they were one against another, or were they separated?

A. That could be. I cannot definitely say.

Q. Mr. McCabe's table was by itself?

A. The table he was sitting at?

Q. Yes, by the door?

A. Yes.

Q. That was by itself?

A. Yes.

Q. Did you see Mr. McCabe leave his place at that table at any time?

A. No.

Q. As far as you know he stayed there all evening?

A. He would nearly have to, with the rush of people going in.

Q. Did you see other people in the room, talking to him?

A. No, I did not notice them.

Q. Did you notice anybody talking to him?



A. No. As I say, I could not see very much what was going on in the room. I was out in the hall. After it was all over, we were talking, and saying how tired we were, and so on, and so forth.

Q. You talked about how tired you were?

A. Yes.

Q. Did you talk about anything else?

A. Not that I remember. Nothing that comes to my mind.

Q. You do not recollect saying anything about the result of the election?

A. Oh, I remember I heard different reports from different ridings, probably, saying that so-and-so who got elected, or so-and-so who did not.

Q. Who do you think had been elected in St. George?

A. As far as I could gather, it was Mr. Porter.

Q. You gathered Mr. Porter had been elected?

A. Yes.

Q. You heard that while in the room?

A. Yes.

Q. Now, will you answer my question?

A. Yes.

Q. You heard that while you were in the room?

A. Yes.

Q. Do you remember from whom you heard it?

A. No. It was just sort of a general subject or discussion—most everyone.

Q. It was a general discussion?

A. Nobody flatly approached me and said: "Mr. Porter has been elected," if that is what you want me to say.

Q. During the evening, did you not hear from time to time reports that Mr. Porter was leading, or anything of that kind?

A. No, I did not.

Q. You did not hear that?

A. No.

Q. But you did gather as a result of general discussion that Mr. Porter had been elected?

A. At the end of the evening, yes.

Q. At the end of the evening?

A. Yes.

Q. And those with you who had been working in this room were still all there at that time?

A. Yes.

Q. Did you leave together, or leave one by one?

A. I think we all left fairly well together, as far as I can recollect.

Q. Would that be about 11 o'clock, Mr. Farrell?

A. Approximately that time.

Q. Approximately 11 o'clock?

A. I cannot say definitely.

Q. I suppose Mr. McCabe locked up when you left?

A. Yes.

Q. You did not leave before him?

A. No, I left at the same time.

Q. And Mrs. McCabe?

A. Yes.

Q. And Mrs. Armstrong?

A. There were two women there; as far as I know them by name, I cannot tell you now.

Q. Did you not know Mrs. Livingstone?

A. There were two women there, but which was Mrs. Livingstone, and which was Mrs. Armstrong, I cannot say.

Q. They were there all day?

A. Yes.

Q. You agree that beside Mrs. McCabe there were two other women?

A. Yes.

Q. You say Mr. Durant was there?

A. That is right.

Q. Can you think of anybody else who was there?

A. If I am not mistaken, there was a reporter there.

Q. You think there was a reporter there?

A. Yes. I think there was one fellow on a newspaper.

Q. I think you are quite right. Do you remember where he was located while you were in the room, the latter part of the evening?

A. Sitting in one of the chairs.

Q. Would he be close to one of the telephones?

A. He would be as close as anybody else, to any of the telephones.

Q. Do you remember if he was using an adding machine?

A. I think he had an adding machine.

Q. Did you observe what he was doing?

A. As far as I knew—I did not observe very much, but as far as I knew he was totalling the ballots counted.

Q. As they came in?

A. I do not know whether it was as they came in or not, because I was not in there all the time.

Q. But in the latter part of the evening did you observe he was keeping track of the votes?

A. I think that was what he was doing, yes.

Q. You understand that was what he was working at?

A. Yes.

Q. He was not helping to put the ballot boxes away, or anything of that sort?

A. No.

Q. Did you notice who was giving him his information?

A. As far as I can recollect, I think it was one of the women.

Q. You think it was one of the women?

A. Yes, as far as I can recollect. I think it was one of the women.

Q. Mr. McCabe being at the door, and Mr. Durant carrying ballot boxes, and yourself carrying ballot boxes, it would be one of the women, I guess?

A. As far as the time is concerned, I was not in the room all the time. I do not know who gave the information.

Q. Naturally. I am only asking you about the time you were there. I could not ask you about the time you were not there. But when you were in the room, your recollection is one of the women was giving him the information?

A. Yes.

Q. Did you notice him using the adding machine?

A. By the time I came back into the room, I think he used that once or twice, but I never noticed him making a long effort with it.

Q. Did you notice him using the telephones?

A. Yes.

THE CHAIRMAN: We have the reporter's own evidence on that.

MR. JOLLIFFE: I know. I think the witness is trying to tell us the truth.

THE CHAIRMAN: I recognize that. But we have the direct evidence of the man himself.

MR. JOLLIFFE: Yes, I know.

BY MR. JOLLIFFE: Q. Do you recall, Mr. Farrell, how the information was given to the reporter by the lady who gave it to him?

A. No, I do not.

Q. But you think one of the women gave it to him?

A. As far as I can recall, yes.

Q. How did you get the impression she gave it to him?

A. (No audible reply.)

Q. Well, Mr. Farrell, maybe I can help you; there would be two ways she

could do it, wouldn't there? One would be word of mouth and the other would be handing him the information in writing; those would be the two ways?

A. That's right.

Q. Those were the only two possible ways in that room. Now, you got the impression he was getting his information from one of the ladies, and I think you are quite right; can you not recall which way he got it, whether by way of word of mouth or by way of something in writing?

A. I can't recall how he got it.

Q. You don't recall that? The people who were in the room that night when you were there, have they all been mentioned? The Returning Officer, Mr. McCabe, his wife, Mrs. McCabe, two ladies, whose names you are not sure about—

A. Yes.

Q. Mr. Durant—the newspaper reporter and yourself?

A. As far as I recall, I think that is all that were there.

Q. You think that is all who were there?

A. One of these women, either Mrs. Livingstone, is it, or Armstrong, I think one of them, her husband called to pick her up or something.

Q. That would be about the end of the evening?

A. Yes.

Q. When you were out in the hall, did you notice anybody else, apart from these people coming in with ballot boxes?

A. Not particularly; there was an awful lot of people, though.

Q. There were an awful lot of people around?

A. An awful lot of people coming in and out. I don't know who they were or what they were doing.

Q. But you say you were the only person keeping the D.R.O.'s in line?

A. I was the only one at the door—at the entrance to the building.

Q. Were you inside the door or outside the door?

A. Right at the door.

Q. Well, you must have been either inside or out; I appreciate it was a summer night; was the door held open or was it opened and closed as people came in?

A. It was open.

Q. It was open? And were you inside or outside of the threshold?

A. On the threshold.

Q. You were on the threshold? So you would have a clear view of the hall?

A. Fairly so.

Q. You don't remember anybody other than—well, I think you said there were people around; do you know Mr. O'Connor?

A. I think there was a man outside in the hall that night. Somebody or other named O'Connor. I don't know him.

Q. You don't know him, but you think he was in the hall that night?

A. I think I heard somebody mention that name.

Q. What made you think he was there; you heard somebody mention his name?

A. Yes, I think I heard one or two people address him as such.

Q. How did they address him?

A. As "Mr. O'Connor".

Q. Well— was he handing in a box?

A. No, he didn't have a ballot box.

Q. Did you see him yourself?

A. As far as I can recall, I did. I wouldn't know him, I don't think now, if I saw him.

Q. You didn't have any conversation with him?

A. No.

Q. Did you notice on the tables where the women were working, any papers?

A. Lots of them.

Q. Did you notice any of them that had not been there during the night?

A. I couldn't say that I did.

Q. You say there were lots of papers on the table—election documents, I suppose?

A. I imagine that is what they were.

Q. But you didn't examine them?

A. No.

Q. Would you say there was much confusion among the papers piled on the tables?

A. What you would expect, I guess, for the number that were there.

Q. Were there a great many different documents piled up on the table?

A. There was quite a lot of paper, I don't know what documents were there—what different ones were there.

Q. Well, when Mr. McCabe received the ballot box now I am speaking of the time after you came back into the room—he received the ballot boxes at the table; did you not see him receive anything else at the same time?

A. I never paid that much attention to it.

Q. When you were assisting in taking the ballot boxes to the inside room, did you take them to Mr. McCabe?

A. He set them on the floor and told me to take them back to the room.

Q. He set them on the floor first?

A. Yes.

Q. Did you notice any seals on them?

A. You mean the ballot box or documents?

Q. Well, we will take them one at a time; did you notice any seals over the slots?

A. Yes, a brown piece of paper stuck on them.

Q. On all of them or some of them?

A. All that I saw.

Q. Did you see any seals on any other part of the box?

A. Not that I particularly noticed, no.

Q. You didn't, alright.

THE CHAIRMAN: Anything else, gentlemen?

BY MR. DENNISON: Q. I would like to ask Mr. Farrell: we were told by Mr. O'Connor:

"Q. You were right at the table, were you?"—that is, the table across the door—

"A. That's right. At the corner of the table and he was right there."—indicating where the Returning Officer was.

THE CHAIRMAN: Mr. Dennison, is it not fair to say this, Mr. O'Connor said that he wasn't there all the time, that he was there, I understand, the latter part of the evening, and this gentleman was, as I understand it, there at the start of things and then subsequently he was in the room. Now, it is quite possible that both might be right.

MR. DOUCETT: This was an employee.

THE CHAIRMAN: That's right.

MR. DENNISON: This gentleman said he was at the door of the hall; Mr. O'Connor said, as you recall, said that he was helping to line the D.R.O.'s up as they approached the table. Do you remember Mr. O'Connor doing that?

THE CHAIRMAN: Wait now, let us get it right. You say O'Connor was lining them up, or was standing at the table, which?

MR. JOLLIFFE: O'Connor said both.

MR. DENNISON: He said both. He said he was lining them up—

THE CHAIRMAN: Yes, but your first question was, O'Connor was standing right at the corner of the table, closest to McCabe, who was on the other side.

BY MR. DENNISON: Q. We will ask you first, do you remember seeing Mr. O'Connor standing at the table?

A. I couldn't definitely say I did, no.

Q. Did you notice him picking any ballot boxes up any time and putting them on the table at the door?

A. No.

Q. You don't recall that?

A. No.

Q. Would you know Mr. O'Connor if you saw him?

A. No.

THE CHAIRMAN: If he does not know Mr. O'Connor, of course it is not much use asking him about it, then.

BY MR. DENNISON: Q. You stayed until Mr. McCabe went home that night, did you?



A. That's right.

Q. Mr. O'Connor stated that he also stayed "to the end", I think was the term he used; do you remember him among that smaller group?

A. No, I do not.

Q. He is a short, red-faced man with glasses.

MR. JOLLIFFE: He is Irish.

BY MR. DENNISON: Q. Very Irish.

A. That is possible, but I do not recall him there.

MR. DOUCETT: Do you remember hearing any man who was there speak of Mr. Dennison as being a very good friend of his? (Laughter)

BY MR. DENNISON: Q. Do you know Mr. Porter?

A. I would recognize him, I think, if I saw him.

THE CHAIRMAN: Everybody knows him.

BY MR. DENNISON: Q. During the election, or prior to election day, had you worked for Mr. Porter in any capacity?

A. No.

Q. Did you help deliver handbills for him?

A. No.

Q. Do you remember asking anyone to vote for him?

A. No.

MR. CATHCART: That is too bad.

MR. WISMER: That is very damaging evidence.

THE CHAIRMAN: Better keep clear of him after this.

BY MR. DENNISON: Q. When Mr. McCabe received the ballot boxes, do you remember Mr. McCabe "hollering" out the names and the votes for each one?

A. I do not. I was quite a piece away from there.

BY MR. DENNISON: Q. But the latter part of the night, when you were in the room, did he "holler" any of the results out then, from individual ballot boxes?

A. Not that I can recall.

A MEMBER: You mean "hollering" like yesterday?

BY MR. DENNISON: Q. Well, somewhat like yesterday, I would say. But, Mr. Farrell, do you remember Mr. McCabe handing the sheet which we called the "return of the poll" to anyone as he received the ballot boxes?

A. No.

Q. Pardon?

A. I do not.

Q. On the wall, opposite this table, was there a map of the constituency?

A. There was.

Q. Do you remember Mrs. McCabe checking that map during the night to see if the returns were in?

A. Not for the short time I was in the room.

Q. But you remember something about her looking at the map, do you?

A. No, I do not.

BY MR. JOLLIFFE: Q. Do you recall seeing anybody look at the map while you were there?

A. I looked at it myself.

Q. You looked at it yourself? Why did you do that?

A. It was quite an interesting map.

BY MR. DENNISON: Q. Was this map a map showing the poll subdivisions in the riding?

A. As far as I can recall, it was.

Q. Was it in colour?

A. I couldn't say.

BY MR. JOLLIFFE: Q. Were there numbers on it Mr. Farrell?

A. As far as I can recall, there were numbers, or a symbol of some kind.

BY MR. DENNISON: Q. Do you remember anyone at the table beside Mr. McCabe filling out any sheets and handing them to the reporter?

A. No.

Q. Or filling any sheets out and handing them to Mrs. McCabe?

A. No.

Q. Did you notice Mrs. McCabe filling any sheets out?

A. No, I did not.

Q. Now, did you notice anyone sealing any of the ballot boxes that night?

A. No, I can't say that I did. As I say, I was not in there very much. I wasn't paying much attention to what they were doing.

Q. Did you assist in the sealing of those ballot boxes?

A. No.

Q. Mr. McCabe said that you were there "handling" the ballot boxes, and Mr. O'Connor said that you and Mr. Durant sealed them; do you recall anything of that?

A. I think Mr. O'Connor was a little mixed up.

Q. Do you remember Mr. Durant sealing them, or sealing any of them?

A. Well, I wasn't there when he was handling the boxes.

Q. Did you see any of the ballot boxes being opened?

A. No, I did not.

Q. Do you remember when you put the ballot boxes in this room, if they had seals on them or if they did not?

A. What do you mean by "a seal"?

Q. A paper seal with sealing wax at each end of it, attaching it to the ballot box, to the metal.

A. I do recall that at the opening of the boxes the slips were dropped in, covered with a piece of brown paper. Apart from that, I couldn't recall anything that I noticed particularly on them.

THE CHAIRMAN: Any other questions, gentlemen?

MR. DENNISON: I think that is all I have.

THE CHAIRMAN: Thank you very much— Mr. Farrell.

The witness retired.

THE CHAIRMAN: Mr. Farrell can sit in now, can he not?

MR. JOLLIFFE: Oh, yes.

THE CHAIRMAN: Ask Mr. Durant to come, please.

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ARMAND JOSEPH DURANT, sworn, examined.

THE CHAIRMAN: Mr. Jolliffe, I think perhaps it might shorten matters if you would just ask him the questions you have in mind, and it would avoid any repetition.

BY MR. JOLLIFFE: Q. Very much. Mr. Durant, were you employed by Mr. McCabe, the Returning Officer in St George, on the day of the election—

A. Yes, I was— sir.

Q. —June 7th, 1948?

A. Yes, I believe that is the date. I can't be sure.

Q. Were you employed by him prior to election day, or just election day?

A. Just election day, sir.

Q. Did you work there all day?

A. Yes, sir.

Q. And all evening?

A. Yes, sir.

Q. You probably know that the polls closed at 7 o'clock?

A. I believe that was the time. I am not sure, but I believe that was the time.

Q. With reference to the period after 7 o'clock in the evening, when returns from the ballot boxes were coming in—

A. Yes.

Q. —will you tell the Committee to the best of your recollection who was present in the room where you were?

A. I believe there was Mr. McCabe and two women. I don't know their names. They were working with him. I think they had worked with him before.

MR. PATRICK: Mr. Chairman, I am sorry, we cannot hear over here.

THE CHAIRMAN: Speak louder would you, please?

MR. JOLLIFFE: Would you mind speaking louder, they all want to hear.

THE WITNESS: Mr. McCabe, and there was two women, and I believe Mrs. McCabe was there and a reporter from the "Telegram", I believe, I am not sure which paper it was, and Mr. Farrell and myself, and there was one other person, I am not quite sure who it was, but I believe it was one of the women's husband.

BY MR. JOLLIFFE: Q. Well, was he there throughout the evening, or did he—

A. Well, I don't know if he came at 7 o'clock or the time he came. He wasn't there during the day, he came at night, and I couldn't tell you what time or whether he came to pick up his wife.

Q. During the evening sometime?

A. Yes, sir.

Q. Did you stay until the work was finished?

A. Well, there were a few boxes to be brought in after I left. I left a little before the rest, but I believe there were a couple of boxes to be brought in afterwards.

Q. You left a little before Mr. McCabe?

A. Oh, yes, sir.

Q. Mr. Durant, this room in which you worked was at, I believe, 339 Church Street?

A. It was on Church Street, near Gerrard sir.

Q. There was an entrance from the street?

A. Yes, sir.

Q. And a hallway—

MR. CATHCART: We cannot hear you too well from here either.

MR. JOLLIFFE: I will try to do better.

MR. CATHCART: Thank you very much.

BY MR. JOLLIFFE: Q. There was an entrance from the street, then a doorway and a hall from the doorway giving access to where you were?

A. Yes, sir.

Q. Would you describe to the Committee the arrangements in the room that night—first of all, the furniture.

A. I believe there was a table right across the front of the door and a table behind that, and I am not sure whether there were two tables together behind that, and then the reporter was at the back of the room.

Q. The reporter was at the back of the room?

A. Yes.

Q. How many telephones were there?

A. I believe there were two.

Q. And who was at the table at the door?

A. Mr. McCabe.

Q. Anybody else?

A. Not to my recollection, sir.

Q. And I suppose you went there from time to time, did you?

A. No, I never went near the table. I mean, I was, I'd say, four or five feet behind the table and at one side.

Q. What was your job that night?

A. I helped pile up the ballot boxes.

Q. In a supply room?

A. Yes, there was a room off this room, I think a bedroom of some sort, and I picked the ballot boxes off the floor, carried them in and piled them in that room.

Q. On Mr. McCabe's instructions?

A. Yes, sir.

Q. Where did you go to get the boxes?

A. They were sitting on the floor. Someone put them on the table to Mr. McCabe, and they were put on the floor behind the table, off to the side, and I picked them up and carried them into the room and piled them up.

Q. You saw Mr. McCabe receive them then?

A. Well, I saw people put them on the table.

Q. People would come up through the hall to the table?

A. Yes.

Q. And put the boxes on the table?

A. Yes.

Q. And Mr. McCabe would receive them?

A. Yes.

Q. And then he would put them behind him and you would carry them away?

A. Yes.

Q. Did you see any on the people who put boxes on the table give Mr. McCabe any documents?

A. Well, I don't exactly remember if they were documents they were giving him or anything. I remember they put boxes on the table, and gee, I don't know. I think there were documents, but I am not sure.

BY THE CHAIRMAN: Q. You think what?

A. I believe there were slips of paper they were giving him, but I am not sure now. It is so long ago I forget.

BY MR. JOLLIFFE: Q. You believe there were slips of paper with the boxes?

A. Yes, but I couldn't say—

BY THE CHAIRMAN: Q. That is when the Deputy Returning Officers brought them in, they had a box and a slip of paper?

A. I believe that's right. I can't definitely say, it is so long ago I don't remember very well. The minute the election was over, I forgot about it and never thought any more about it until now.

BY MR. JOLLIFFE: Q. You mentioned the other tables which were some distance, I take it, from Mr. McCabe's table?

A. Yes, I say they were behind him. Anyway they were not right next to him.

Q. And were there documents piled up on those tables?

A. There was girls doing something with some figures, and books or something. They were writing, I know that.

Q. The girls were writing?

A. Well, I am not sure whether they were writing. They had these documents—these slips of paper, but what they were doing with them, I couldn't tell you because I never saw them and never handled them.

Q. You were handling the ballot boxes?

A. I just touched the ballot boxes, that is the only thing I touched.

Q. Do you remember who was handling those slips of paper?

A. I think there was the two women who were doing it.

Q. When you say "the two women" which women do you mean?

A. Well, there were women who were actually helping Mr. McCabe. One of them, I believe, was clerk, you know, and I think they were working with him before the election, and I don't know about after, I am not sure.

Q. Well, you see, you mentioned three women in the room.

A. Oh, yes, Mrs. McCabe. Mrs. McCabe was at the back of the room away at the back. With the reporter.

Q. Mrs. McCabe was at the back where the reporter was?

A. Yes.

Q. And these other two women were working with slips of paper you say?

A. Well, I believe they were working with something anyway.

Q. What was the reporter doing?

A. He had an adding machine, I think he was adding figures up from what I can gather.

Q. You gathered he was keeping track of the results?

A. That is what I—

Q. And using the telephone to phone them in?

A. Yes, I believe he was using the telephone too.

Q. Where was he getting his information, did you notice?

A. Well, I can't recall—I don't know where he got it from actually. I know he was adding it up. I was so busy with the ballot boxes, I never really noticed. I know he was adding results on the adding machine. Where he got the figures from, I couldn't definitely say.

Q. What was Mrs. McCabe doing?



A. I don't know that, either. I know she was back there with the reporter, whether she was helping him or what she was doing, I couldn't say.

Q. Was there a telephone near her?

A. There were two telephones there, right behind the reporter.

Q. Right behind the reporter?

A. Yes, right behind the reporter and at the side.

Q. She was fairly close to the reporter?

A. I think she was fairly close to him, yes.

Q. Did you notice any of the other ladies handing slips over to her?

A. No, I didn't.

Q. Or notice her going to get the slips from anybody?

A. No, I didn't.

Q. There was a number of chairs in the room, I suppose?

A. Well, there were chairs, I know.

Q. You didn't have a chance to use them, I suppose?

A. No, I didn't. I didn't sit down all night.

Q. Did you notice a map on the wall?

A. A map on the wall?

Q. Yes.

A. I think there was at the far end of the room behind Mr. McCabe's desk.

Q. A map of the constituency?

A. I think they had numbers on or something—maybe it was the distance—something to the effect. I never used the map, I just happened to see it.

Q. No, you would have no reason to use it?

A. No.

Q. Was anybody looking at it during the evening?

A. No—I don't know if I saw people looking at it. I know it was there.

Q. Were there documents piled up on all the tables, do you remember?

A. I couldn't say. I never paid any attention to them, because I was pretty busy piling up the boxes. When I did get a "breather", I had a smoke, and I didn't bother looking around.

Q. These people who have been mentioned and the man you mentioned who came and who was the husband of one of the women— they are the only people you recall being in the room that night?

A. To the best of my knowledge. I haven't had a great time to think about it, but to the best of my knowledge, I think they were the only people.

Q. Do you know Mr. Michael Patrick O'Connor?

A. I have heard his name. I wouldn't recognize him if I seen him.

Q. Do you recall seeing him that night?

A. No, I don't remember seeing him, no.

THE CHAIRMAN: He says, Mr. Jolliffe, he wouldn't know him to see him.

MR. JOLLIFFE: Yes, that's right.

BY MR. JOLLIFFE: Q. You carried the boxes from the floor over to the side—

A. Yes, sir.

Q. Did you do that all by yourself?

A. No, Mr. Farrell helped me, and I believe this—

Q. When did he help you?

A. I started by myself. I was outside originally and came in when they asked me to pile them up, and it got too much for me, and Mr. Farrell helped me. This woman's husband helped me too.

Q. She helped you?

A. No, he did.

Q. Oh, the husband?

A. Yes.

Q. That would be in the latter part of the evening?

A. Yes, sir.

Q. Then, to the best of your recollection, there were some slips came in with the ballot boxes to Mr. McCabe? You told us that.

A. Well, I don't know. I am kind of hazy.

Q. I know. But you weren't watching them all?

A. I wasn't watching them.

Q. You have already told us you do remember some slips which came in with the boxes?

A. I believe so. I cannot get up and swear to it that there were slips coming in. There was something in my mind, but I now cannot swear to it.

Q. These slips reached the ladies somehow?

A. I don't know whether they did or not. They were working on figures of some sort. They were doing something anyway, I surmised.

Q. Do you remember if you saw any of them on Mrs. McCabe's desk?

A. No, I do not recall that.

Q. You do not recall that?

A. No.

Q. Did you hear any conversation during the evening about the way the election was going?

A. No—well, I heard Mr. Porter one time—there was so many for one person, and so many for another person.

Q. Will you say that again? I did not quite understand you?

A. I believe somebody did say how it was going, so many for one person and so many for another. There was a radio in one of the rooms, and the people living in the house would tell us how it was going.

Q. They told you how the election was going?

A. Yes.

Q. The election in St. George?

A. No, I imagine for the whole province, and for Toronto.

Q. Did you hear any talk amongst the people who were working in that room about the election in St. George?

A. No, I cannot say that I did.

Q. You would know that Mr. Porter was elected?

A. Yes, I do.

Q. When did you find that out?

A. Well, I don't remember I actually knew that he was elected until the next morning, when I went to work.

Q. Did you know that he was leading that night?

A. No, I do not remember that he was leading. When I went home, I do not think all the returns were in or tabulated or anything like that.

Q. Then you would not know the final, conclusive results?

A. I went home before all the boxes were in. There were still a few to come in.

Q. About what time do you think you went home?

A. I would say it was before 12 o'clock.

Q. When you went home, you knew that Mr. Porter was elected?

A. No, I did not; not definitely.

Q. Never mind the "definitely"; you knew Mr. Porter was leading?

A. No, I don't think I did. I don't remember that well. I know Mr. Porter was elected. I mean, I found out next morning when I went to work, but as far as being elected that night, I do not recall that, no.

Q. I am not asking whether you positively knew it, but did you not have any impression, gained from what you heard in the room that night?

A. To tell the truth, I was not every much interested.

BY THE CHAIRMAN: Q. Where do you live, Mr. Durant?

A. Around Gerrard and Greenwood, out in that district.

Q. Was that in this riding?

A. Oh, no, that is outside of St. George.

Q. You live out in the east end of the city?

A. Yes, I live in the east end. I believe the C.C.F. candidate won the election in my constituency.

THE CHAIRMAN: My, my; that is terrible.

MR. JOLLIFFE: I believe that is what did happen.

BY MR. JOLLIFFE: Q. How long have you known Mr. McCabe?

A. Oh, I guess I have known him for maybe seven or eight years.

Q. And how long have you known Mrs. McCabe?

A. I imagine about the same length of time.

MR. JOLLIFFE: Mr. Dennison, have you any questions to ask?

MR. DENNISON: Yes, I would like to ask one or two.

BY MR. DENNISON: Q. Mr. Durant, do you remember Mr. McCabe, or anyone else at the door, hollering out loudly the names and the vote?

A. No, I do not.

Q. You do not remember that?

A. No. I cannot say that I do.

Q. As far as you know the information was not conveyed by word of mouth; it was conveyed by sheets of paper?

A. I did not hear him yell. Actually I never saw them pass any slips of paper, either. I was so busy with the ballot boxes I did not pay any attention to it.

Q. Do you remember a map being on the wall?

A. I can vaguely remember a map at the back of Mr. McCabe's desk. I believe it had some marks on it—or squares.

Q. Did you seal any of the ballot boxes, seal them with wax or paper or tape?

A. No, sir.

Q. Did you see anybody else sealing any of those ballot boxes?

A. No, sir, I did not.

Q. Do you remember any of the ballot boxes being without a seal of them.

A. No, I cannot say there were seals on the ballot boxes, or whether there were not. I did not pay that much attention. I just picked them up, and put them in the room. I know I did not seal any.

Q. Did you notice if any of the boxes were unlocked?

A. No, I did not.

Q. Now, did you notice anyone filling in any forms?

A. No, I did not, sir.

Q. Do you remember if the hole in the top of the ballot box was sealed?

A. No, I do not remember that, either.

Q. Do you remember any pieces of paper or forms being put into the ballot boxes?

A. Not while I was there, sir.

Q. And you went home about twelve o'clock, you think?

A. I am just taking a rough guess. It is a long time to remember back that long. I believe I was in bed at twenty-five minutes to one or half-past twelve, so I must have left by twelve o'clock anyway.

Q. Who was in the room when you left, as far as you can remember?

A. I believe there was Mr. McCabe, Mr. Farrell, Mrs. McCabe and the two women who were helping out in the office, and the husband of one of the women.

Q. Was the reporter still there?

A. I cannot remember whether he was there or not.

BY MR. WISMER: Q. Have you any recollection of when this woman's husband showed up?

A. No; sometime during the night.

Q. Could you say approximately?

A. I cannot tell you; I do not remember.

Q. Was it just at the very last moment, or half-way through the evening, or what?

A. There was still some boxes to come in, when he came in.

Q. It might have been half-way through the evening?

A. It might have been, or it might have been a little later.

Q. Can you describe him?

A. No, I would not know him if I saw him.

Q. Try and recollect, if you can? Can you recollect what the appearance of this man was?

A. I cannot remember.

Q. Short, long, thin?

A. No, he was not an old man. I know that. He was a young fellow.

Q. Grey haired or dark haired?

A. I cannot remember.

Q. Glasses?

A. I cannot recall.

BY MR. DENNISON: Q. Mr. Durant, in comparing the forms submitted by Mr. McCabe to the clerk here in the House, and the statement given by the Evening Telegram reporter to the Canadian Press, with the actual count of the ballots we find there was an additional 1,665 votes given to Mr. Porter, and 165 subtracted from Mr. Frier. On the night of the election, do you know anything about that?

A. No, I do not know anything at all.

Q. Have you any explanation you could give of how that might have happened?

A. No, sir.

THE CHAIRMAN: Mr. Dennison, I do not think you should ask that question. How could he possibly know?

MR. DENNISON: That is what we are here to find out.

THE CHAIRMAN: I do not believe he knows what forms you are talking about.

The witness retired.

THE CHAIRMAN: Gentlemen, I think that is the last witness, and I think the Committee should spend a little time this morning considering what the report of this should be to the Legislature.

Do you not think we should discuss this matter in camera for a short time? Whether we make the report or not, is up to you gentlemen, but do you not think we might discuss this in camera?

MR. JOLLIFFE: For what reason?

THE CHAIRMAN: Oh, I am quite content. If you want to discuss the findings in public, it is quite satisfactory to me. I will leave it to you gentlemen. I am personally quite prepared to discuss it in public. The only thing is, it has been the customary thing when a jury hears the evidence for them to retire to

consider their verdict. If you want to have a discussion in public, it is quite alright with me.

MR. DOUCETT: Is it customary to pay counsel fees, for their work?

THE CHAIRMAN: It does not violate The Legislative Assembly Act.

MR. DENNISON: If the hon. Minister (Mr. Doucett) is suggesting any fee for me, Mr. Chairman, I am quite willing to fore-go it.

THE CHAIRMAN: He might not want to take money, but he might want to take some token.

MR. JOLLIFFE: I would be prepared to suggest a compromise in connection with your proposal, Mr. Chairman. Someone has to start writing a report, and I think it is more satisfactory to discuss in specific language, the wording of the report, than to have a discussion-at-large, after all the evidence we have heard. I would suggest we name a sub-committee to draft a report. Not that it would have any legal standing, but we could then have something more concrete to discuss.

THE CHAIRMAN: As this evidence has been given this morning, I jotted down the five points which seemed to me important, and which I would be glad to give to the Committee.

MR. JOLLIFFE: It is entirely up to the Committee, but I am suggesting we might save time and trouble by appointing a committee of three or four to prepare a report.

THE CHAIRMAN: It is difficult for us to appoint a committee. We have all heard the evidence, and are equal in this matter.

MR. JOLLIFFE: That is right.

THE CHAIRMAN: I would think there are certain things we could decide on very quickly, and then if we are unable to agree on some others—I think if we could, we should make a unanimous report on this to the Legislature.

The first thing is, do you want to consider it in camera or in public?

MR. JOLLIFFE: I suggest a compromise that a report should be drafted by a sub-committee. They could meet in camera, and then we could discuss the report and we would have something to work with.

THE CHAIRMAN: I do not know whether a sub-committee—do you want to discuss it in public?

MR. JOLLIFFE: Someone has to draft a report.

THE CHAIRMAN: If you want to do that, it is perfectly satisfactory. May I make these suggestions, which I just jotted down as the last witness was speaking.



The first is, I think the report of the recount should be given, that is, the result of the judge's recount. That is the first report I think we should give to the House.

Secondly, in all fairness, I think we should absolve Mr. Porter from any knowledge of these matters, or these irregularities, and furthermore, I think we should absolve all of the political organizations which were engaged in this election. There is no evidence that the Progressive-Conservatives, nor the C.C.F., and certainly not the Liberals—

MR. OLIVER: I should say not.

THE CHAIRMAN: There is no evidence whatsoever that any of those organizations were mixed up in this thing at all.

The third point is this. The \$64.00 question is "Who did this?" I think we have to be fair, and say that we do not know who did it. What are the motives in doing it? I think through utter stupidity, and other than that I can think of no motive. There are motives which could be implied, but we do not know what they are, and there is no use in making implications, or creating inuendos.

The next thing is in regard to the election machinery. I think perhaps suggestions might be made for changes in the election machinery. But I think this stands out; that the election machinery was quite sufficient to essentially establish this matter and the fact that there were irregularities within at least three days of these occurrences taking place.

The election machinery was adequate to do that. If you gentlemen think there should be any changes in it, I would like to know it. I have discussed it unofficially with Mr. Harvey, and others. The fact of the matter is, the election machinery did disclose this whole thing almost immediately.

The fourth point is about the Returning Officer. Personally, I cannot see how the Returning Officer can be excused in this thing. After all, the Returning Officer is there to do a job. If he had gone to the ballot boxes themselves and taken the reports from the ballot boxes, then this would not have occurred. There is no evidence that Mr. McCabe was dishonest. It may be that it was carelessness on his part, or a certain amount of stupidity, but the fact is the Returning Officer who is appointed cannot afford to be stupid. He must go to the boxes, and must not use unofficial slips to tabulate anything.

Personally I cannot see how the Committee can excuse the Returning Officer in this thing.

Those are the five points which struck me as important.

MR. DOUCETT: Mr. Chairman, from the evidence we have before us, it would appear we should exonerate the Deputy Returning Officers. There is nothing to show there was anything wrong with the officials up to the night of the election.

THE CHAIRMAN: I would subscribe to that.

MR. JOLLIFFE: That is correct. There is a further point, which I think is very important, and which should not be overlooked. There were certain documents which the Returning Officer, under the Act, is required to send to the Clerk of the Crown in Chancery, which he did not send in, and for which he has given no satisfactory explanation of their disappearance, other than the explanation the he used some of them for scratch paper.

THE CHAIRMAN: Is this not the sum total? Apparently, in some mysterious way—and I must admit it is a complete mystery to me—perhaps it is only by inference, but it is the only way I can see how this thing could have happened, that the so-called press reports were changed. By whom or how we have not been told, have not been able to find out about these slips which were used in part for tabulating the result of the election, instead of going into the boxes. The fact is we have really no evidence, other than surmise, of what did happen. I do not think the Returning Officer is bound to keep those things—

MR. JOLLIFFE: No, Mr. Chairman, you misunderstand me. He is not under any obligation to send in the press slips. After all, in the ordinary course, the press gets them, and they are provided more as a matter of convenience, by arrangement with the Returning Officer, so that the press will get the news for the information of the public.

I am speaking about the Forms 35 which the Returning Officer is required to send in, and which in this case he did not.

THE CHAIRMAN: Is that the one which accompanies the box? I think it was in the box.

MR. JOLLIFFE: There is a copy of Form 35 placed in the box, and a copy is supposed to be placed on the outside of the box, as I understand it. When we questioned Mr. McCabe about this, he said that some were not in the box, and some got mislaid, and some he used as work sheets, and they were torn up and destroyed. Oddly enough, this applies to practically all of the subdivisions where the increases were made. Whatever we may think about who actually raised the figures, I say the Returning Officer cannot escape the responsibility for the non-production of these Forms 35.

THE CHAIRMAN: Let us look at this thing carefully, and let us be fair about it. I imagine that in most of the ridings in Ontario the Returning Officers are honest people, and with these multitude of forms, they are bound to make errors and mistakes, and they do not keep them, and perhaps do not send them out some place else. It seems to me this is the fact in this case. The judge has told us that the contents of these boxes, as contained in the envelopes, were correct, that they are a correct report of the actual ballots. It seems to me that aside from the human errors and frailties, if the Returning Officer had gone to the boxes and taken those returns from the boxes, then these irregularities and discrepancies could not have occurred.

It is quite true that he did that with Mr. Frier's consent, and I think Mr. O'Connor consented to it. After all, it is not possible to have anybody's consent on this matter. It is his business, as it is of every Returning Officer, to go to the boxes and take the returns from them, and if they had done that, this circumstance would not have occurred.

Other than that, it seems to me that things were reasonably well carried out. I think Mr. Harvey can tell us from where he is supposed to take the returns.

MR. HARVEY: A special envelope is provided for that purpose.

MR. JOLLIFFE: The Forms 35 are supposed to go in there (indicating).

THE CHAIRMAN: Supposing Mr. McCabe found that envelope was not in the box, which might happen, because the Returning Officers are human beings, the poll books were there, and he could have secured the returns from them, and that would have been official. If that had happened, this thing would not have occurred.

MR. DENNISON: There is another recommendation we should make, following this, and that is that on the night of an election every candidate should be entitled to name one person to be at the Returning Officer's office on the night of the election.

MR. HARVEY: That is not provided for.

MR. JOLLIFFE: There are some Returning Officers who would not permit that.

MR. DENNISON: I think that should be made clear in The Election Act. If that had been done, this thing would not have happened.

MR. CHAIRMAN: But Mr. Frier was there, and it did happen, during the official count.

MR. DENNISON: I think this happened on the night of the election.

MR. OLIVER: I think that is a good point.

THE CHAIRMAN: That is fair enough.

MR. DENNISON: Now the other recommendation I would make is that I do not think we can take any action against Mr. O'Connor. I do not think he is responsible—

THE CHAIRMAN: There is not a tittle of evidence against him.

MR. JOLLIFFE: There is considerable evidence that he was not telling the truth here.

THE CHAIRMAN: I do not know about that.

MR. DENNISON: His evidence did not jibe with evidence we had, and it was the Returning Officer's responsibility, and I think the action this Committee should take would be to bar for a period of ten years the Returning Officer from any political activities in connection with an election.

THE CHAIRMAN: We have no authority to do that.

MR. DENNISON: That is done in some parts of the British Empire, I understand, as a penalty for inefficiency of this kind, or stupidity, or whatever you want to call it. I think that would be a fair penalty to impose upon those Returning Officers, if that happens, because, after all, if we have not been able to pin anybody else down for these changes in the votes of these two candidates as to who is responsible, I think we should in the future demand from Returning Officers that they take such precautions as are necessary to prevent a thing like this happening again.

MR. CATHCART: Mr. Chairman, in the division yesterday, called by Mr. Jolliffe, Mr. Dennison arose before his leader, Mr. Jolliffe. Would you call that "inefficiency"? Should he be barred from the House?

MR. DENNISON: Mr. Speaker said, "Will the members rise."

MR. OLIVER: I think it was just in his enthusiasm.

THE CHAIRMAN: I do not think we should do that. After all, what court in the land would convict Mr. McCabe of anything—

MR. JOLLIFFE: Mr. Chairman—

THE CHAIRMAN: Let me say this: in Ontario you have to get 90 Returning Officers, and hundreds of poll clerks. I understand they get about \$10 or \$12 a day. If you are going to put them in a position that because they make some mistake or error, whether it is due to stupidity or otherwise, they will be banished from the country and deprived of their rights of citizenship, you will find it very difficult to get competent officials.

In connection with this thing, if there is anything of a criminal nature involved, surely our criminal laws can take care of the situation.

MR. JOLLIFFE: Mr. Chairman, before we discuss penalties, or anything of that nature, let us not overlook the fact that, on the evidence, the Returning Officer did not do a number of things which the Act requires him to do, and in the light of the results, some of the things he failed to do were very serious indeed.

I have repeatedly throughout the enquiry tried to find out when the Form 40 was returned, and I have not received a satisfactory answer.

THE CHAIRMAN: Seemingly it was returned on the 18th of June.

MR. JOLLIFFE: It is alright to say "seemingly". But the reason I pressed for that answer is that I repeatedly caused enquiries to be made throughout the summer and in the month of September, concerning the return of the Form 40, and I was informed through my secretary that it had not been returned.

THE CHAIRMAN: Form 40 is the form which is only used for the purpose of the initial tabulation? It is not a form which has to do with the actual returns of an election, which are made by the Returning Officer.

MR. JOLLIFFE: I am well aware of that, but it happens to be the form on

which the subdivisions' results are entered, and that is where the discrepancy arose.

THE CHAIRMAN: I do not want to even suggest that this should go on the record, but the fact is if the candidate had availed himself of the protections which there are in both The Election Act and The Controverted Election Act, all this matter could have been brought before the courts within a very few days of its happening. Mr. Brewin and Mr. Frier had reasons for not doing it. I do not want to question their judgment at all—

MR. JOLLIFFE: You can question my judgment.

THE CHAIRMAN: No, I would not do that either. If it had been done, this thing would have been disclosed, and the whole thing would have been aired at a time which was proximate to this occurrence, and the memories would not have been blurred, and the records would not have been gone.

MR. JOLLIFFE: Let me inform you—and I have not given you this information before, because I am still waiting for the date of the return of Form 40—but I think you have been a candidate on a number of occasions, and you will appreciate this point, that when I first heard about this matter it seemed to me a highly improbable situation; it seemed highly improbable that everybody would be sufficiently stupid to add so many votes to those which had actually been counted by the Deputy Returning Officers, and I was very skeptical about the whole thing. I was told about it by Mr. Frier, and I instructed my secretary to make enquiries, and keep on making enquiries as to when Form 40 came in—

THE CHAIRMAN: When was that?

MR. JOLLIFFE: Some time through the summer.

THE CHAIRMAN: How late in the summer?

MR. JOLLIFFE: I think it would be around Dominion Day.

THE CHAIRMAN: I think you must be at cross purposes, because your partner, Mr. Osler, said he knew about it, and discussed it with you—

MR. JOLLIFFE: No, he did not speak to me about it.

THE CHAIRMAN: And you knew about it and did not mention it to him, and you were both working on the matter—

MR. JOLLIFFE: No, we did not discuss the matter at all.

THE CHAIRMAN: Are you referring to your secretary in your office?

MR. JOLLIFFE: No, Mr. Coburn, my secretary here. I did hear what seemed to be a highly improbable story, and my conclusion was, if this Returning Officer is actually doing something of that nature, and thinks he can "get away with it", he will put it in the Form 40 which sooner or later will have to be filed.

It is no use going on the strength of idle gossip. We might as well see what is in his Form 40 and then compare them with the certificates the candidates received. Therefore, I instructed my secretary to enquire when Form 40 came in.

THE CHAIRMAN: Do you recall about that, Mr. Harvey? Here is the Form, apparently filed on the 18th of June.

MR. WISMER: That is not Form 40.

MR. JOLLIFFE: That is not what I am talking about.

THE CHAIRMAN: But it says here: "I have transmitted to the—"

MR. JOLLIFFE: But that is a different return.

THE CHAIRMAN: I don't know. Is it?

MR. JOLLIFFE: Certainly it is. You see the Returning Officer does this,—

THE CHAIRMAN: Let us ask Mr. Harvey. He is a man whose integrity we can depend on.

MR. JOLLIFFE: There is no doubt about there being two returns; the first, showing who is elected, results in your getting gazetted. That certifies who was elected. But Form 40 is a big clerical job.

THE SECRETARY: The return to which Mr. Jolliffe is referring is probably what Mr. Bulmer called "A certificate", and which I don't mind saying right now in the wide open, I claim there is nothing in The Election Act which covers the issuance of such a certificate. The Election Act refers to Form 40 as "The Return" and, based on Mr. McCabe's affidavit, I still maintain that his Form 40 was in our office on the 18th day of June.

MR. JOLLIFFE: "Based on his affidavit."

THE SECRETARY: Yes, and if you like the stenographer produced who made up this form which contains the figures and the results of the election for the whole of the Province of Ontario, you can have her here and have her sworn and she will tell you when that was compiled. That was all there.

THE CHAIRMAN: Producing Form 40 is—

MR. JOLLIFFE: Does Mr. Harvey recall the several inquiries from Mr. Coburn?

MR. CALDER: Do you recall getting these several inquiries which were mentioned from Mr. Coburn?

THE SECRETARY: We get thousands of queries about the returns.

MR. CALDER: But you would recall getting these from Mr. Coburn, Mr. Coburn being in the building?

THE SECRETARY: No, I wouldn't say I would.

MR. JOLLIFFE: I am informed those inquiries were made. Eventually I was informed that it was in, so I told Mr. Brewin that, and we both went to see Major Lewis and he said: "Yes, we have Form 40 sent in," and Major Lewis, Mr. Brewin and I then compared certain figures on Form 40 with the certificates.

THE CHAIRMAN: Mr. Harvey, I understood him to say, thinks Form 40 was there on the 18th day of June, and the return for the whole province—

THE SECRETARY: Was in by the end of June.

THE CHAIRMAN: Mr. Jolliffe, let me say this—

MR. JOLLIFFE: That was the vote for each candidate?

THE CHAIRMAN: That's right.

MR. JOLLIFFE: You don't have to have Form 40 to have that.

THE CHAIRMAN: Well, let us go back in the evidence. Mrs. Livingstone, who appeared to be a very truthful person, said that she assisted Mr. McCabe to make Form 40, which was done from the compilations they had made on the day of the official count.

MR. JOLLIFFE: Yes.

THE CHAIRMAN: And all that was done within five or six days of the election. Now, it is in her handwriting; would Mr. McCabe make out that form at that time and then hold it till a later date? Surely it would correspond with his affidavit which says that on the 18th day of June he "transferred to the Clerk of the Crown in Chancery my return in respect of the said election". That must be what is meant.

MR. JOLLIFFE: Frankly, Mr. Chairman, as the time passed by and I was informed that my secretary had been informed it had not come in yet, I came to the conclusion Mr. McCabe was holding it, that he was afraid to send it in, and I became all the more determined to wait until he did.

THE CHAIRMAN: Mr. Jolliffe, that does not seem to be the case. Apparently, Mr. McCabe has filed that on the 18th of June.

MR. JOLLIFFE: "Apparently", but there is no evidence to that effect.

AN HON. MEMBER: There must be.

MR. JOLLIFFE: No one has given me evidence under oath as to when it did come in.

THE CHAIRMAN: Well, we have the affidavit, dated the 18th of June.

MR. JOLLIFFE: Oh, well, that is his affidavit.

THE CHAIRMAN: Well, it is sworn by his Election Clerk.

MR. JOLLIFFE: Does it mention Form 40?

THE CHAIRMAN: Well, it doesn't, it says—

MR. JOLLIFFE: No, it doesn't mention Form 40. Exactly.

THE CHAIRMAN: Well, listen, gentlemen; let us get down to this; we can argue on this Committee when it was filed or why it wasn't till Doomsday.

MR. JOLLIFFE: Yes, there is a far more important point, and that is the missing Form 35's. The Returning Officer, whether culpable or not, is responsible, I think you must agree, for returning the Forms 35 and all other contents of the ballot boxes.

THE CHAIRMAN: What can we do—

MR. JOLLIFFE: But there is circumstantial evidence here, when you find most of the missing Form 35s are the Form 35s which ought to have been returned with respect to the 25 subdivisions where the big changes were made. That is very strong circumstantial evidence.

THE CHAIRMAN: Well, Mr. Jolliffe, when we say that the Returning Officer cannot be excused in this matter and that he was careless in that he did not go to the place where he should have gone to get these returns, that is the basic thing you want to know. After all, a man—we are not excusing him on that, I say that is the fundamental thing. Let us take it this way—supposing Mr. McCabe had committed all these errors you say he had committed, and supposing up to this day that he had not filed his Form 40, and that he was absolutely in arrears on what he should have done, but nevertheless on the day of the recount he made an actual, true count of the ballots or of the returns, and he made a proper report of the totals to the Election Officer here, or to the Clerk of the Crown in Chancery, I think we would say: "Well, the man is quite honest and, in accordance with his abilities, he did a good job and made a correct return. We will excuse him for making all these subsidiary and other errors."

MR. JOLLIFFE: Mr. Chairman—

THE CHAIRMAN: The sensible thing is that no matter how he did it, he allowed returns which were fantastically wrong to be filed here. We might as well say that and not go into a lot of other things.

MR. JOLLIFFE: Yes, I agree with you up to that point, but there is the further point; let me suggest this hypothetical case to you: supposing I am a Returning Officer—perish the thought—and suppose in my constituency there are a hundred subdivisions.

THE CHAIRMAN: Yes.

MR. JOLLIFFE: And it is found on a recount that the returns filed with respect to 90 of these subdivisions are perfectly in order, nothing wrong with



them at all; it is found on the recount that in 10 of these subdivisions the returns that I have made on Form 40 are out and that I have added a thousand votes to one of the candidates in 10 subdivisions.

THE CHAIRMAN: That's right.

MR. JOLLIFFE: It is also found in these 10 subdivisions and in these 10 subdivisions alone, Form 35 has disappeared, that it just isn't there, and that all the other subdivisions are in order; now, would you say it would be sufficient to say of me that I cannot be excused for my carelessness? Who is to believe that is just carelessness?

THE CHAIRMAN: Well, what other evidence is there you were any other than just careless? You might be careless, but nobody would accuse you of being a criminal because you were such.

MR. JOLLIFFE: But what I am suggesting to you is this, if you will examine the boxes which were examined on the examination and on the recount, you will find in most of the subdivisions where there was no change, everything was in order; the Form 35s in most cases are there too.

THE CHAIRMAN: But you see—

MR. JOLLIFFE: And you will also find in most subdivisions—

THE CHAIRMAN: In some, they were missing.

MR. JOLLIFFE: No, no. In most of the subdivisions where there was a change, Form 35 has disappeared. Now, that, I suggest, is far more than carelessness. I mean, it is like the theory, the fact that one candidate had over 2,000 votes added to his total, that Mr. MacVicar had practically none, that that is just carelessness. It is not just carelessness. Things like that are not accidental.

THE CHAIRMAN: Mr. Jolliffe, I listened to the Returning Officer and I saw him in the box. I saw him give his evidence. I think in a case such as this you would apply the ordinary tests you would in a criminal case; you would say that before you would make any findings which ordinarily might be of a criminal nature against the man, that you would find him guilty beyond reasonable doubt. I listened to Mr. McCabe and I couldn't come to any conclusion other than—well, he appeared to be honest, he is under a certain amount of disability with his eyesight; I would say this, that he was either very trusting or very stupid, on the day of the official count, to have taken papers which obviously were not official, that appeared to be the case, that were not official, to make the tabulations from.

On the other hand, sitting one foot from him, is one of the candidates on the election, Mr. Frier, and apparently he is a party to the same thing. How can you say one man is guilty and the other is not?

MR. JOLLIFFE: Oh, now, now, Mr. Chairman.

THE CHAIRMAN: I would say they were both—

MR. JOLLIFFE: Mr. Chairman, really.

THE CHAIRMAN: Well?

MR. JOLLIFFE: If you were prosecuting a man for failure to make returns and to pay sales tax and you found that for 11 months out of the year he had complete records, and they were in order, and that he had paid his sales tax, but you are prosecuting him for failing to do so in December, and you found his records for December had apparently disappeared—

THE CHAIRMAN: Mr. Jolliffe, the trouble is this is too hypothetical.

MR. JOLLIFFE: But you see, that is just—

THE CHAIRMAN: I would say this is too hypothetical a case.

MR. JOLLIFFE: I take strong exception to your objection Mr. Frier was a party to the same thing on the day of the official count.

THE CHAIRMAN: I don't want to say that—

MR. JOLLIFFE: I object strongly to that, because the fact the press reports were using the exact same returns on the day of the recount fitted in beautifully with the fraud which someone was trying to perpetrate in connection with these results. It did not fit in with anything Mr. Frier was trying to do, but it did fit in with someone else's plans—I don't say it was Mr. McCabe. Frankly, I will say on the evidence we have heard, I do not see how Mr. McCabe could have made the alterations on election night, so that do not get the idea I am conducting a vendetta against Mr. McCabe. I think he was too busy on election night to do it.

THE CHAIRMAN: On the other hand, take it this way: apparently this thing seem to have its inception on election night, if we are going to take the Canadian Press return.

MR. JOLLIFFE: Oh, yes.

THE CHAIRMAN: Yes. How in the world could McCabe—and the great difficulty we are up against in the case is this, we have examined everybody who was in that room. Now, it is true there are the frailties of memory that occur and occur in every case, of differences of memory and recollection; nevertheless, we haven't a tittle of evidence to show that anybody changed these things. We haven't any evidence as to how they were changed. They were changed. I would say this, if it had not been for the figures, and after all there may be an explanation for the fact that the returns to the Canadian Press were badly out on the night of the election; you can excuse people for that, that can happen in the tabulation of things.

MR. JOLLIFFE: Not the way it happened here.

THE CHAIRMAN: Now, did this happen—that these press returns were in the hands of the Returning Officer, and that he or somebody else changed them

to correspond with figures which had in error been computed on election night and sent to The Canadian Press; or, did somebody take these returns before they ever got to the election officer and change them?

Now, gentlemen, we don't know, and I don't think on that evidence we want to—I wouldn't want myself to go beyond saying this, that no matter what may have happened in regard to those things, that the Returning Officer could and should have, in his audit, because that is what it is, on the day of the recount, by going to the box, have got the correct statements.

MR. JOLLIFFE: The same as the judge did.

THE CHAIRMAN: The same as the judge.

MR. JOLLIFFE: Or, the same as the examiner did—of course, the judge—

THE CHAIRMAN: What happened was this: apparently Frier was there and the Returning Officer and some others, and it was agreed that they should use these unofficial returns. Now, I will say this to you, that you can excuse Mr. Frier for that, but you can't excuse a Returning Officer, because that is not where he should get his returns from. He should get them from the box, according to Mr. Harvey, and if this envelope is not in the box, then he should go to the poll book to get it.

MR. JOLLIFFE: I think we can all agree on that.

THE CHAIRMAN: Then, how much further will you want us to go than that?

MR. JOLLIFFE: You were expressing an opinion as to what the evidence showed.

THE CHAIRMAN: Oh, no.

MR. JOLLIFFE: Oh, yes. I think you could go a little further. I think you used the expression there was no evidence "anybody" had made the change, but there was a change made. I think you could go a little further than that, Mr. Chairman. I think there is considerable evidence that a change occurred between the time that the boxes and the results were transmitted by the Deputy Returning Officers to Mr. McCabe and the time the results were received by Mr. Rae—is that his name—at the telephone. Now, there is also considerable evidence that in that interval these results passed or could have passed through the hands of (1) Mr. McCabe, (2) Mrs. Armstrong, (3) Mrs. Livingstone, and (4) Mrs. McCabe. On the evidence—

THE CHAIRMAN: Well, these women were here before us, they all seemed to be honest sort of persons.

MR. JOLLIFFE: That is right.

THE CHAIRMAN: Who are you going to accuse?

MR. JOLLIFFE: I am not telling you which one you should accuse, but I am

saying this, Mr. Chairman, to be objective about it, you must agree that on the evidence you heard that the change was made by one or more of those four people.

THE CHAIRMAN: I don't know whether that is so; I wouldn't want to say that.

MR. JOLLIFFE: Whether or not you want to say it, in your mind you know that is the case.

THE CHAIRMAN: No, I wouldn't say so at all. Take, for instance, the Telegram reporter; there is an impartial individual.

MR. JOLLIFFE: That's right.

THE CHAIRMAN: And here are these two boys this morning, they are nice young fellows, and they are obviously telling the truth to the best of their ability.

MR. JOLLIFFE: That's right.

THE CHAIRMAN: You have Mrs. Livingstone, and you have the others there; now, what possible—what tittle of evidence is there anybody was sitting down there like—I was going to say one of the A.P.A. fellows, who are going under this bill to be sitting there—that would be changing the figures in a lightning sort of way, with a pen, and one of these computing rules and a slide rule, figuring them all out? I haven't seen any of the witnesses who was clever enough to do that.

MR. JOLLIFFE: You say there is absolutely nothing points to the Deputy Returning Officers, nothing points to Mr. Rae, nothing in the evidence that points to either Durant or Farrell; but, if you find that a certain document has been forged although only four people had access to it during the period it must have been forged, the conclusion is inescapable that one of the four people did it.

THE CHAIRMAN: Well, what would you do then—hang all four people, send them to jail for seven years?

MR. JOLLIFFE: That was what you are saying, not what I am saying.

THE CHAIRMAN: Gentlemen, how would it be to do this? Mr. Jolliffe on the other five points I mentioned, I gather you have no objection on those, but it is a question of the Returning Officer and—

MR. JOLLIFFE: I haven't had a chance to say very much about it.

THE CHAIRMAN: How would it be if I were to draft a brief statement along those lines and then submit it to the Committee, so the Committee would have something concrete to argue on, and see if we cannot arrive at a report?

MR. DENNISON: Will you include a recommendation for one scrutineer?

THE CHAIRMAN: Yes, I will do that. Personally, I think,—however, some of the Returning Officers won't allow that. I don't see any reason why, on the

night of the election there should not be candidates' agents there just the same as—don't you think so, Mr. Harvey?

THE SECRETARY: I don't see any objection at all.

MR. JOLLIFFE: I think it is a constructive suggestion. I might say in support of that suggestion, Mr. Chairman, in my own constituency I had an excellent Returning Officer, who was fair, as far as I know, to all parties. Although she was extremely fair and I have nothing but praise for her work, she did get the feeling, because of all the telephone calls she had on election day, that she was being "hounded" by all the political parties, and as she put it herself, I think: "Why do you suspect us?" she said.

THE CHAIRMAN: You say she got a sense of persecution?

MR. JOLLIFFE: I feel, anyhow in her case, she would object to having scrutineers present in her office on the night of the election, unless it were provided for by the law. On the other hand, I think it is a kind of protection for the Returning Officer, actually, if there are three scrutineers there.

MR. NIXON: Of course, the rural polls, you do not get the boxes coming in, you know, that night.

THE CHAIRMAN: That's right.

MR. JOLLIFFE: And in the northern districts.

MR. NIXON: It may be days.

MR. JOLLIFFE: It is a real problem getting the boxes in there.

THE CHAIRMAN: I do not know myself, Mr. Nixon, whether or not there is very much merit in having an agent present for this reason: you take for instance in the rural polls, as far as I know, that is the case, you will have the Returning Officer who is busy doing other things, and does not want to be bothered looking at the agents.

After all, it is his responsibility and his job, and I doubt myself whether there is really any merit in that.

MR. DENNISON: But apparently The Election Act allows an agent to be present.

THE SECRETARY: That is at the final addition.

THE CHAIRMAN: He doesn't know who the agents are, whether they are honest or dishonest. He would not be wanting to stand on guard over them. He is not going to do it.

MR. DENNISON: I think in this case the agent should be an authorized agent, and I say the one agent should be enough.

THE CHAIRMAN: Does being authorized make him any more honest?

MR. JOLLIFFE: Well, we do not want a person who is walking in, like Mr. O'Connor and saying he is the agent.

THE CHAIRMAN: Well, he is the representative of the public. You cannot keep the public out.

MR. JOLLIFFE: A gentleman with a high sense of public service.

MR. WISMER: Purely disinterested.

THE SECRETARY: On the day of the counting of the ballots at the respective polling places, the representative who holds an authorization from the candidate is the man who has the first choice.

MR. JOLLIFFE: Yes.

THE SECRETARY: If there is not a second man there, then the representative can sit in—

MR. DENNISON: That's right.

THE SECRETARY: —without a certificate.

MR. DENNISON: That's right.

THE CHAIRMAN: Gentlemen, then shall we adjourn now, and we will meet—I do not think it would be possible to-morrow, but meet at the beginning of the week, as soon as possible in any event and consider this matter?

MR. JOLLIFFE: Mr. Chairman, I am quite willing we should adjourn, and I take it you are going to draft a report.

My final suggestion to you is that you do not overlook the responsibility of the Returning Officer for the safe-keeping and the return of Form 35. I suggest you have a look at his own evidence about that, the effect of which generally is that he destroyed some of them—he says innocently.

THE CHAIRMAN: Well, of course, isn't it explainable? Even suppose he did, does that indicate anything? I don't know why he wouldn't, why would he keep the thing?

MR. JOLLIFFE: He showed a very fine sense of selectivity when he chose certain ones to be destroyed.

THE CHAIRMAN: Well, all right.

THE SECRETARY: Mr. Chairman, two or three questions have been asked outside the meeting of the Committee regarding this Form 35. As I told the Chairman himself the other day, we consider the Act and the instructions given to the Returning Officers are hide-bound. Now, those of you who have Election Acts in your possession, turn, please to section 117.

MR. DENNISON: There is one other recommendation—

MR. JOLLIFFE: Wait a minute, please, for Mr. Harvey.

THE SECRETARY: Section 117 tells quite clearly what shall be done with this Form 35. Then, if you turn to the front of the book, which gives the instructions to Deputy Returning Officers, on page 10, Roman numerals, he is told there what to do. When the Deputy Returning Officer's supplies are sent out to him, it tells him outside of the package, the numbers and names of the forms, which include 35. He is also sent a memorandum and that tells him to sign Form 35 in triplicate, to be signed by the Deputy Returning Officer, clerks and agents, to put one in the poll book, one in a special envelope and keep one, and deliver Form 36, the agent's.

What more an Act can do, I don't know.

MR. DENNISON: I would make a recommendation, Mr. Chairman, that Forms 35 and 36 be amalgamated, and the same form given to the candidates as is put in the box and is given to the R.O.

THE SECRETARY: You mean, eliminate Form 36 and have one Form 35?

MR. DENNISON: Yes. It would simplify the whole procedure.

MR. WISMER: And make out more copies.

THE SECRETARY: Then, in that case, the Returning Officer will be sure he had the correct figures, because it is signed by the agents as well.

MR. WISMER: That's right, and give a copy of that to the press.

MR. DENNISON: I do urge that be put in your recommendations.

THE CHAIRMAN: You might think that over, Mr. Harvey.

THE SECRETARY: Yes, I think that is a good idea.

MR. WISMER: You will have to provide for four copies of Form 35 to be made out.

THE SECRETARY: Oh, absolutely. Yes.

Whereupon, at 11.25 a.m., the further proceedings of this Committee were adjourned *sine die*.





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